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THE UNITED KINGDOM

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# THE UNITED KINGDOM

## A POLITICAL HISTORY

BY

GOLDWIN SMITH, D.C.L.

AUTHOR OF "THE UNITED STATES," ETC., ETC.

*The best form of government is that which doth actuate  
and inspire every part and member of a state to the  
common good. — Pym.*

*Two Volumes in One*

VOLUME I

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## PREFACE

THE limited aim of these pages is to give the ordinary reader, so far as was in the author's power, a clear, connected, and succinct view of the political history of the United Kingdom as it appears in the light of recent research and discussion.

Among works of special research by which the writer has been assisted, and to the authors of which his grateful acknowledgments are due, are the following:—

Freeman's "History of the Norman Conquest of England."

Stubbs's "Constitutional History of England."

Miss Kate Norgate's "England under the Angevin Kings."

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Francis Aidan Gasquet's "Henry VIII. and the English Monasteries."

Paul Friedmann's "Anne Boleyn."

Froude's "History of England from the Fall of Wolsey to the Death of Elizabeth" (the later volumes).

Gilbert W. Child's "Church and State under the Tudors."

David Masson's "Life of John Milton, narrated in Connexion with the Political, Ecclesiastical, and Literary History of his Time."

Samuel Rawson Gardiner's Histories, embracing the period from James I. to the Protectorate.

W. E. H. Lecky's "History of England in the Eighteenth Century."

Henry Jephson's "The Platform: its Rise and Progress."

Sir Spencer Walpole's "History of England from the Conclusion of the Great War in 1815."

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John Hill Burton's works on Scotch history.

A. G. Richey's "Short History of the Irish People, down to the Date of the Plantation of Ulster," edited by Robert Romney Kane.

T. Dunbar Ingram's "History of the Legislative Union of Great Britain and Ireland," and the same writer's "Two Chapters of Irish History."

J. T. Ball's "Historical Review of the Legislative Systems operative in Ireland, from the Invasion of Henry the Second to the Union (1172-1800)."

"Social England: A Record of the Progress of the People in Religion, Laws, Learning, Arts, Industry, Commerce, Science, Literature, and Manners from the Earliest Times to the Present Day." By various writers. Edited by H. D. Traill, D.C.L.

The "Dictionary of National Biography."

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The author at the same time embraces the opportunity



of testifying to the noble service which the editors and writers of the "Dictionary of National Biography" have rendered to British History.

In one or two parts of the book the author has drawn on previous works of his own.

The friends who urged the writer to undertake this task know that it has been performed by the hand of extreme old age.

is confined to the public domain which the author and  
 writers of the "History of the Republic of the United States"  
 confined to public history.

It is not to be noted in the book the public law which  
 is contained therein in his own.

The records also record the writer to indicate this  
 to show that it has been performed by the hand of  
 various other.

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## CHAPTER I

### OLD ENGLISH POLITY

**E**NGLAND has taken the lead in solving the problem of constitutional government; of government, that is, with authority, but limited by law, controlled by opinion, and respecting personal right and freedom. This she has done for the world, and herein lies the world's chief interest in her history. She has also had to deal with great problems of her own; among them that of national unity, the long postponement of which is indicated by the present lack of any common name except that of the United Kingdom for the realm, and of any common name for the people. Ultimately she became the centre of a maritime empire, consisting partly of colonies, partly of dependencies, and had imperial problems of both classes with which to deal.

The scene of this political drama is in two large islands off the coast of Europe, near enough to the continent to form a part of the European system, while they are in a measure independent of it, so that their people long preserved an insular character and history. The channel between Dover and Calais has largely exempted England from European dominations and revolutions; from the Empire of Charlemagne, of Philip II., of Louis XIV., of Napoleon, in some measure from that of the papacy, and on the other hand from the French Revolution. It has

enabled England to act in the European system as a moderating and balancing power; now upholding liberty against despotism, now order against headlong change. Islands seem dedicated by nature to freedom. They will commonly be peopled at first by men bold enough to cross the sea, nautical in their habits and character. In later times, the island nation, the sea being its defence, will be exempt from great standing armies, while fleets are no foes to freedom. The British islands are happily placed for commerce with both hemispheres. Looking forth across the Atlantic to America, they are also happily placed for colonization; but that part of their destiny long remained veiled. In the estuaries of the Thames, the Humber, the Orwell, the Mersey, the Avon, they have ports safe from attack, though in an hour of shame the Dutch came up the Thames. Of minerals, too, Great Britain has good store, and coal for manufactures which, with the help of circumstances, such as the repression of continental manufactures by war, have made her the seat of a vast manufacturing population with its political influences both for good and evil. At the same time there is a great breadth of land for farming, which long continued the chief industry. The union of the three industries, farming, sea-faring, and manufacturing, produced a character balanced in politics as well as in general life.

The channel between Great Britain and Ireland has played and is even yet playing a momentous and fatal part in their political history. Nature had manifestly linked together the destinies of the two islands and made their union the condition of their security and greatness. But differences of race, differences of religion, evil chances



and evil policy, combined with the estranging sea, long defeated the behest of nature, and the union is hardly perfect even at this hour.

When the drama opens, the lowlands and the fruitful parts of the larger island are occupied by the race which has given the nation its usual name, its general character, its fundamental institutions. It is a Teutonic race, and has come in three swarms, Angles, Jutes, and Saxons, from the northern coast of Germany, about the mouths of the Elbe and the Weser. While other northern races have migrated by land, this race has migrated by sea, in bands of rovers who have probably first marauded, then settled, and gradually driven out or enslaved the former inhabitants. It is strong and comely, braced by sea-life, picked by the northern climate and tribal war. It loves freedom and inclines to freehold ownership of land. It respects birth, and is divided on that principle into eorl and churl, names now widely parted from their first meaning. Beneath the churl is the theow or slave, a captive in war, a condemned felon, or one who has lost his freedom in gambling, which seems ever to have been the master vice of the race. Tacitus, who describes the Germans in their original seat, paints their character as robust, though rude, and pure in contrast with Roman license. According to the same authority there were kings designated by birth, but at the same time leaders chosen by merit, a custom which seems to foreshadow the hereditary monarchy and elective premiership of the present day. The Germans had their primitive parliaments, in which no doubt the authority of the chiefs prevailed, while the people signified their assent to the resolution, generally one of war, by clashing their arms. The

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tury.

tendency of the race, fostered no doubt by the comradeship of roving bands, and, in the new country by the circumstances of little settlements each belted with its zone of wood, was to self-government and to local institutions, the spirit, and to some extent the form, of which has lived to the present day. In the assembly of the shire, the largest local division, of the township which if fenced was a burgh, and of the hundred which was military, the people met under their alderman, or other local officer, to regulate their own affairs. The ruler was also the judge, and public justice was little more than the public assessment of vengeance or of compensation for private wrongs.

Around the English settlements or buried beneath them was the wreck of a province of the Roman Empire, ruins of cities and villas, camps deserted by the legions, relics of Roman handiwork, Roman tombs, treasures buried by fugitives who never returned. Coming not by land, like the other northern tribes, but by sea, the English had not made acquaintance with the Roman civilization, or been imbued with respect for it. Themselves lovers of the open field and the woodland, they either sacked and destroyed the cities or left them to decay. With the cities municipal institutions perished. Of Roman empire remained only the great military roads which traversed the island, solid as Roman character, unswerving as Roman ambition. Under the Empire the Britons had been converted to Christianity. This also was destroyed by the Englishman, who, unlike the other tribes, had not been visited by the missionary, but came a heathen fresh from the seats of his nature-worship and his war-gods. Italy, France, and Spain remained in language and religion, and

partly in institutions, provinces of the Roman Empire. The English nation and polity were a fresh and purely Germanic birth.

In the Welsh mountains, behind the Grampians, away in Ireland, and for a long time in the hills of Devonshire and Cornwall, lay the remnants of the Celtic race, which the Anglo-Saxon had driven from England, with their several dialects of the Celtic tongue, their Celtic character and customs, and in Ireland and Wales at least, with the Christianity of Celtic Britain. It was a race, from whatever cause, whether congenital or of circumstance, more emotional and mercurial, less strong and steadfast than the Teuton, more addicted to personal, less fitted for constitutional government. Whether it was exterminated where the conquest spread, or mingled its blood with that of the conquerors, is a question about which antiquaries differ. It left its memorials in the names of rivers and mountains, as well as in the hill camps which told of its tribal wars, the rude monuments which told of its veneration of its chiefs, and the circles which had witnessed the bloody rites of its wild and dark superstition. Stonehenge speaks of it on the lonely plain. Cæsar, who subdued it in Gaul, has depicted its gallantry and its weakness. In the western lowlands of Scotland, also, remained a wild, primeval race, or mixture of primeval races. The rebellion of 1745 and the present agitation for Home Rule and Welsh disestablishment show how deep and lasting has been the influence of this division of races upon the politics of the United Kingdom.

Combination against the natives and predominance of the stronger over the weaker among the conquerors themselves in time welded the little settlements together and



produced the seven kingdoms of the Heptarchy — Kent, Sussex, Essex, Wessex, East Anglia, Mercia, and Northumberland. There ensued a contest for supremacy among the seven. The advantage was with those the warlike spirit of which had been sustained by the border struggle with the Celts. Mercia, the central state, seemed for a time to prevail. But in the end Wessex, the southwestern state, having embraced the country between the Thames and the Channel, under Egbert, who had seen Charlemagne, came out supreme, and became the foundress of England, of the United Kingdom, of the British Empire. Union was made difficult and amalgamation was made still more difficult by intersecting forests, morasses, and rivers of pristine volume, as well as by defective communications, the only good roads being those which had been bequeathed by the Roman engineer.

Unity as well as moral civilization was set forward by Christianity, to which the king of Kent, who had married a Christian princess from France, was converted by Augustine, a missionary sent by pope Gregory the Great. The Kentish king heard the Gospel with an openness of mind which Englishmen love to call English. With the king, the people, after the fashion of tribalism, passed into the allegiance of the new god. Removal from the seats of their old religion, which was largely local, had probably weakened its hold and that of its priesthood. From Kent Christianity spread over the other kingdoms of the Heptarchy. It was borne to Northumbria by another Roman missionary, Paulinus, and there welcomed, according to a pretty fable, as a solution of the mystery of human life, which otherwise was like the flight of a bird through the hall where the king and his

lords were sitting round the fire, out of the night and back into the night. There were relapses, and there was a stubborn resistance in rude Mercia, where king Penda fought for heathenism and prevailed so far as to win back Northumbria for a time to the old gods. But in the end he fell and the old gods succumbed, though they left in haunted tree, fountain, and stone, in heathen fire festivals, and in general superstition the traces of their reign. Northumbria was re-converted at first, not by the missionaries of Rome, but by Aidan, a missionary of the old British church, which had found a refuge in Ireland and Wales, and in Wales had rejected the preaching of Augustine. Roman unity, however, with the magic name of Peter, the holder of the keys of heaven, prevailed at the synod of Whitby, and Latin Christianity, with the bishop of Rome at its head, remained the religion of England. It united the island to Christian Europe and to whatever remained of the Roman Empire and its civilization. It introduced in opposition to the warlike type the Christian type of character, the Gospel virtues of charity, meekness, readiness to forgive, the saintly and ascetic ideal, the notion of sin against God, where before there had only been that of wrong done to, and avenged by, man, penitence and penance, with the moral authority of a priesthood pretending to sacramental powers. It proclaimed the spiritual equality of the sexes and the human rights of the slave. To Christianity may be ascribed the birth of learning and literature, of which, in England, the Venerable Bede in his monastery at Jarrow was the father, that national consciousness which prompts to the writing of history, art the offspring of religion, and the beginnings of legislation. For the most part the con-

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version would be skin-deep. The ideal would be too high. Love of war and sensuality would hold their own. Nor were the effects wholly good. Sacerdotal authority is always liable to abuse. Asceticism might weaken the character of a nation, which, to preserve its life, presently needed all its force. The monk had at first been useful, perhaps indispensable, as a pioneer. Afterwards monasteries were apt to become lairs of idleness and refuges from royal and patriotic duty. Formal penitentials and vicarious penances were made licenses to vice.

The Anglo-Saxon or English polity was now complete in church and state, rather, we should say, as the church remained national, in state and church. At its head was the king, who had been raised higher above the heads of the people by each successive extension of his domain. He was at once ruler, law-giver, general, and judge, all those functions being as yet enfolded in the same germ. But he was no despot. If he governed, regulated, made high appointments in church and state, granted the public land, gave chartered rights, it was with the consent of the Witenagemot, an assembly of the magnates, civil and ecclesiastical, which, with the extension of the kingdom, had practically superseded the assemblies of all the freemen, the distance being too great for general attendance, and representation being then unknown. A king's personal ability would be the real measure of his power. When he was able the witan would register his will. The authority of the witan was wider than that of parliament nominally at the present day, since it extended to executive action, to appointments, to foreign policy and war, as well as to legislation. The public land belonged to the nation, not to the king.



The king was elected by the witan, but always out of the heroic house of Cerdic, and generally by the rule of male primogeniture, though the witan, as the exigencies of rough times required, could sometimes exclude, and sometimes depose, as the parliament, its successor, deposed Edward II., Richard II., and virtually, though not in form, the second James.

In the primitive abodes of the Saxon rovers each chief had gathered round him a circle of followers to whom he gave bread, arms, and clothes, while they shared with him all enterprises and perils, fighting round him to the death, throwing themselves between him and the dagger of the assassin, scorning to leave the field alive when he had fallen. Gesiths they were called at first, afterwards thanes. Hence, when the chief had become a king, grew a new order of nobility, a nobility of royal favour and grants, overtopping the old nobility of birth, and forming the predominant element in the council of the nation. Aristocracy was not close or exclusively military; three voyages made the merchant a thane.

In the absence of a strong central administration government must delegate its powers. The country was divided, as it still is, into shires, by what process is not exactly known. Subordinate divisions were hundreds, which were military, and townships, which, when fenced, were called burghs. Through the whole scale in those primitive times the political or administrative and military assembly was also the rude court of justice. Over each shire, and, where large military powers were necessary, over several shires, was an alderman, who took the place of the petty kings and is faintly represented by the lord-lieutenant at the present day. In each shire there



was a king's intendant, called the shire-reeve or sheriff, who guarded the king's rights, collected the king's dues, acting as a sort of farmer-general, and called out the militia. The shrievalty was perhaps the nearest approach to centralization.

The army was the general levy of freemen, every one of whom was bound to appear in arms when national defence called, on penalty of being branded as a nothing or poltroon. All were bound to aid in keeping up forts as well as roads and bridges.

Private war was restrained by the king's peace. Police was in the rude form of frank-pledge or mutual responsibility of neighbours or members of the same tithing. Trial was by ordeal or by compurgation, that is, purgation by the oaths of a certain number of sureties. Life was guarded by the were-gelt or blood-fine paid to the kin. Differences of rank were marked by the amount of the were-gelt and the compurgative value of the oath.

The old English church, though a direct offspring of Rome, was insular and national, bearing nearly the same relation to the state which it bore after the Reformation. Rome was regarded as the mother and centre of Christendom, not its mistress. A filial tribute under the name of Peter's pence was paid to her. Wilfrid, a high-flying ecclesiastic, tried to introduce high church principles but failed. The church had her synods, but the king and his witan dealt with ecclesiastical as well as with temporal affairs and appointed the bishops; while the bishops, by virtue of their superior education, became here as elsewhere in temporal as well as in ecclesiastical affairs, the counsellors of kings. The two swords were held in the same hand, the bishop sat with the secular magistrate in

the local court ; no sharp line divided the two spheres or jurisdictions. The church had been organized, with the diocesan and parish system, largely by Theodore of Tarsus, Archbishop of Canterbury, who as an Eastern divine with Roman tonsure and commission represented the wide unity of Christendom. In local government there was a tendency in the ecclesiastical to unite with the administrative system which finally issued in a parish with its vestry at once religious and administrative, while the parish church, with its altar, its font, and its graveyard, became the local centre of social as well as spiritual life. The payment of tithe, at first voluntary, or enjoined only by religion, was ultimately enforced by law. Besides a bond of union among petty kingdoms imperfectly consolidated, the church with her hierarchy furnished a pattern of organization. It has even been said that the first synod held in England was the first national assembly.

Scarcely had the English kingdom been founded when upon it swooped the Dane. Kinsman to the Saxon, he was, like him, in his early estate a sea-rover, a heathen, a marauder ; his raven was the bird of slaughter and rapine. He had a wild Scandinavian religion of warfare and destruction, with a paradise of alternate combat and wassail for the warrior in Odin's hall. His heathen rage was specially directed against church and monastery. Christianity, on the other hand, in the absence of a strong feeling of patriotism, was the bond and rallying cry of national defence. In this way it made up for anything that it might have done by its asceticism or quietism to enervate and disarm. Made ubiquitous by his command of the sea, which the English had now resigned, pouncing where he was least expected, sweeping the

country before the national levies could be got together, and at last keeping permanent hold upon large districts, the Dane had brought the English kingdom to the verge of destruction, when a heroic deliverer arose in the person of Alfred, the model man of the English race. Round the head of Alfred a halo has gathered; his history is panegyric; yet there can be no doubt of his greatness as a saviour of his nation in war, as a reorganizer of its institutions, of which pious fable has made him the founder, as a restorer of its learning and civilization. Parts might be combined in those early times which could not be combined now. With Alfred the monarchy rises in power and majesty; to plot against the king's life is now made treason. Alfred was followed by a line of able kings: Edward the Elder; Athelstan, who smote the Dane with his Scotch and Irish allies at the battle of Brunanburg; Edmund, who followed up Athelstan's victory over the Dane; Edgar the Pacific, who, tradition said, was rowed by six kings in his barge upon the Dee. In Edgar the English kingdom rose to its highest pitch of greatness, its power extending over Wales and Scotland. The Dane, though vanquished, was not expelled. He divided the land. His portion was the northeast, thenceforward called the Danelagh, where he has left his memorials in local names and in the character of a bold, sea-faring race.

It is at this point in the history that a political figure, afterwards prominent, appears upon the scene. Dunstan, styled Saint, was a reformer of the church in the monastic sense. But the struggle between the monastic party and its opponents appears to have become political. Dunstan is credited with the good government



of Edgar. That he struggled for power and gained it is a fact better known than his policy. The cell of the anchorite is not a good school of statesmanship. It sends forth its denizen pure, perhaps, and disinterested, but hard, uncompromising, and relentless. So far, however, as can be seen through the dense mist Dunstan's power was used in a monkish way for good.

After Edgar the royal line decays, as royal lines in a low stage of civilization are apt to decay, corrupted by coarse luxury, unless their energies are kept up by war. The Dane renews his attacks and there is no Alfred, Athelstan, or Edmund to confront him. The feeble 979 Ethelred, instead of iron, tries gold, with the usual result; tries massacre, with the result which it deserves. His successor, Edmund Ironside, is a hero, and during 1016 a few months of incessant battle holds up the head of the nation. On his death the kingdom passes by treaty 1016 to the Dane, who adds the English crown to those of Denmark and Norway, now formed by the growing power of the kings into regular states. But the Dane has become a Christian and not less civilized than the Englishman. Canute, though he waded to his throne 1017 through blood, when seated on it showed himself a Christian ruler, a ruler even ostentatiously Christian. The legend which makes him rebuke the flattery of his courtiers and refuse afterwards to wear his crown was not ill-invented. He displayed his piety by making a pilgrimage to Rome, where he obtained privileges for his people, and on his return he published an address to the nation instinct with Christian principles of government. He yielded to provincial spirit and the difficulty of ruling personally his disjointed empire so far as to divide the

realm into four great earldoms, a measure the consequences of which were disastrous to unity, and in the end to the life of the nation. Otherwise he seems not to have changed the polity. But he kept a standing army of house-carls or guards, on the footing of companionship-in-arms, and he evidently wielded despotic power. His two sons were weak; the second of them  
1042 was a toper, who died as he stood at his drink. The English kingdom could not be permanently united with the Danish and Scandinavian kingdoms. The Danish dynasty came to an end.

1043 The native line of Cerdic was now restored in the person of Edward the Confessor. He was a bad specimen of ecclesiastical Christianity, a monk upon a throne which called for a strong man. His delight was in church-building and ceremonial. He begot no heir to his crown. Brought up as an exile in Normandy, he had a fatal fondness for Normans, who were better courtiers, subtler intriguers, and, if not more pious, more ecclesiastical than his English. The politics of his reign were a wavering struggle between the foreigners whom his weakness had allowed to thrust themselves into high preferment, and the native party headed by the great Earl Godwin and his heroic son Harold. At first the foreigners prevailed, by the help of the northern earls, who were jealous of Godwin and his son, the earls of the south.  
1051 Godwin and his son were driven into exile, but they came back, they were welcomed by the people, and the foreigners in their turn were expelled. The Norman Robert of Jumièges fled from the archbishopric of Canterbury  
1052 and his pall, which were taken by the English Stigand,  
1052 an act of presumption not unmarked by Rome.

Edward the Confessor having left no son, the witan exercised its right of election. Passing over Edgar Atheling, of Cerdic's line, a boy and in exile, it raised Harold the son of Godwin to a throne of which he had shown himself worthy both in politics and in war. 1066

There seems to have been weakness in the state of England. Danish ravages and conquest could hardly fail to make havoc of the institutions as well as of the land. Many of the leaders of the people must have fallen in battle. The north was but imperfectly welded to the south. Provincial feeling was strong, patriotism was not. The great earldoms had overtopped the crown and divided the nation. The house of Leofric dominated in the north, while that of Godwin dominated in the south, and the two were drawing the kingdom apart. Political history through the reign of Edward the Confessor was a tissue of personal ambitions and intrigues. Perhaps as a consequence of the general insecurity and lawlessness produced by the Danish wars, the practice of commendation, which is one part of feudalism, had prevailed, and the people had been throwing themselves for protection at the feet of lords, becoming, instead of freeholders and freemen, vassals and prædial serfs. So it appears from a survey of the realm taken in the next reign. The slave trade, of which Bristol was the seat, and which was fed by kidnapping, is also a sign of social disorder.

The weakness tempted a mighty robber.



## CHAPTER II

### THE CONQUEST AND WILLIAM I

WILLIAM I. BORN 1027 ; CROWNED AT WESTMINSTER 1066 ; DIED 1087

IN France the Northman, turning, as he did in England, from pirate to conqueror and settler, had carved out from the kingdom of France a duchy, nominally granted by the king at Paris, and owing him a formal allegiance after the fashion of feudalism, which made the vassal's obedience due not to the king, but to his immediate lord, and bade him follow the lord to the field against the king. The Normans had adopted the French language and henceforth rank as Frenchmen. The last duke, Robert the Devil, to atone for the life by which he had earned his nickname, had deserted his duties as ruler and gone upon a crusade. He left as his successor an infant son, a bastard ; but the bar sinister, though disparaging, was not fatal in wild times. The boy, as he grew up, proved a great soldier and politician. No man could bend his bow, and the force of his frame bespoke that of his will. His strong hands strangled the serpents of feudal anarchy almost in his cradle. His life had been a struggle with rebellious vassals, hostile neighbours, and his suzerain of Paris, from which at once by generalship and statecraft he had come out victorious, enlarging his hereditary dominions at the expense of his neighbours. He had now set his

heart upon a greater prize. He had visited England in the lifetime of Edward the Confessor and had seen the kingdom without an heir, the oligarchy of earls divided, national spirit at a low ebb, Normans already in places of power. Upon the death of Edward, he laid claim to the crown of England. His claim was baseless. It was founded partly on an alleged but unattested promise of Edward, who in his last moments had named not William but Harold as his successor, and who, though his word might have weight with the witan, had no power of devising the crown; partly on an alleged engagement of Harold himself, who, having been shipwrecked on the French coast, had fallen into the hands of William, and by him, it seems, had been forced to swear that he would deliver England into the Norman's hands. To make the oath more binding, relics had been concealed beneath the table on which it was sworn, and the saints had been made parties to the fraud. Such was the sanctimony of the Norman. That the English king Ethelred had married a Norman princess could add nothing to the force of the claim. The election of Harold by the witan was decisive. But when the news was brought to William he broke forth into a paroxysm of wrath, denounced Harold as a perjured usurper, left the chase, hurried to his hall, assembled his vassals, and by his address prevailed upon them, unwilling as they were, to follow him in the invasion of England. He sent out invitations also to the roving soldiers of other countries, promising them lands and spoil. It is vain to split hairs on the question whether he was or was not a conqueror.

The enterprise had a double character; it was a crusade as well as a conquest. With the ambition of Will-

iam conspired an ambition not less grasping, not less ruthless, not less sanctimonious than his. Hildebrand, afterwards Gregory VII., though not yet pope, swayed the papal councils. He had formed a design, not only of setting the church free from secular influence, but of putting the profane powers of the world under the feet of the papacy, which to him presented itself as the one power of right divine. He sought, among other things, to enforce the celibacy of the clergy, as the seal of their spiritual purity, and to the end that, severed from all domestic and earthly ties, they might everywhere be the soldiery of the church. The church of England, in communion with Rome, and, venerating Rome as its mother, still retained its national character and a measure of national independence. Much in it was irregular to a high churchman's eye. No sharp line was drawn between church and state. The witan dealt with ecclesiastical affairs. There was no demarcation of the ecclesiastical from the temporal courts and law. The celibacy of the clergy was little enforced among a domestic and somewhat sensual people. Altogether the church fell below the Hildebrandic mark. There were besides special causes of complaint; the papal tribute, called Peter's pence, was irregularly paid; Archbishop Stigand had uncanonically intruded himself into the see of the fugitive Robert of Jumièges; had taken the mystic pallium with his own hands instead of suing for it at the hands of the pope, and, by afterwards receiving it at the hands of an anti-pope, had aggravated the offence. The Norman was a favourite of the papacy. Though a marauder he was ecclesiastical and everywhere pious and papal in his rapine. To bring Germany into subjection to the



Vicar of Christ, Hildebrand filled her with civil war. To bring England into the same subjugation he laid his curse upon her rightful king, blessed the unrighteous invader, and sent a consecrated banner and ring as pledges that the favour of God would be with the army of iniquity. The power which thus sought its ends is styled moral, in contrast to the powers of force. Superstition is no more moral than force, and to effect its object it has to suborn force, as it did in hallowing the Norman invasion of England.

All know the story. How William gathered an armament, the greatest that had been seen in Europe since the fall of the Empire; how Harold stood ready to defend his land; how fortune helped the invader; how the English fleet which guarded the channel was forced to put into port; how at the supreme moment Harold was drawn away to the north to cope with another invader, the famous corsair, Harold Hardrada, instigated by Tostig, Harold's disloyal and exiled brother; how Harold triumphed gloriously over the Dane at Stamford Bridge; how again rushing southwards he found the Norman disembarked in Sussex; how, besought by his brave brothers, as he was under the papal curse, to stand aside and let them fight for him, he replied in the spirit of Hector, who said that the best of omens was to be fighting for one's country; how he took post on the woody hill of Senlac covering the road to London, his house-carls or guards in the centre, the raw country levies on his flanks; how, with the consecrated banner of the pope borne before him, the Norman stormed the hill; how, after a long day's fight, the Norman's discipline prevailed over undisciplined valour, the Norman's

1066

mailed cavalry and bowmen prevailed over the English axe, and the last English king, his eye pierced by an arrow, lay dead with his brothers and his bravest round him on the fatal height. Harold slain, national resistance collapsed for lack of a leader; the young Edgar Atheling, grandson of Edmund Ironside, elected king in the hour of despair, proved a mere puppet and was never crowned; the great northern earls, Edwin and Morcar, were found weak, selfish, false to the national cause. William sagely presented himself, not as a conqueror, but as lawful king, promising to respect right and do justice; all bowed before his power and his policy; he was crowned with due elective forms at Westminster, a Saxon prelate taking part; though in the midst of the ceremony, to mark its real character, his fierce soldiery fired the city, and the rite ended in confusion and terror. His coronation made him lawful king and stamped resistance to him as treason, entailing forfeiture of land.

There ensued, as the invader's oppression, or rather that of his lieutenants was felt, local risings against him in Kent, at Exeter, at Durham, at York, and through  
1068 the north. The rising in the north was the most formidable, as it was aided by the Dane, coming to reclaim the monarchy of Canute. To put it down forever the Conqueror laid the whole district waste, so that the people died by thousands of famine, and the country was thrown back for many a day. The most heroic stand was made in the Isle of Ely, a fortress of nature among the marshes, by Hereward, a popular hero, who gathered  
1071 there a patriot band and held out long enough to bring the Conqueror himself into the field. Danish aid, once

more hovering on the coast, William bought off. The closing scene of the struggle is indicated by the Conqueror's law of presentment of Englishry, requiring the neighbourhood in which a man was found murdered to prove that the man was not a Norman, but an Englishman. A few, who preferred exile to submission, carried their English battle-axes to Constantinople and enlisted in the Imperial guard.

Forfeiture and confiscation followed the suppression of rebellion from district to district over the realm, till at last the bulk of the land, including nearly all the great estates, had passed out of English into Norman hands. There was left a body of small English freeholders, into which those who had before been great landowners sank down. Of the mass of the people the lot was prædial servitude, under several names and forms; of some of them actual bondage. Prædial servitude had probably been the lot of most of them before; but now they were under foreign masters, and the best authority holds that the succeeding age was probably one of increasing misery to the serf. The English language shared the degradation of the people, Norman-French taking its place as that of the ruling class.

Philosophic historians call the Norman conquest a blessing in disguise. Disguised the blessing certainly was to those whose blood dyed the hill of Senlac, or whose lands were taken from them and given to a stranger. Disguised it was to the perishing thousands of the ravaged north. Disguised it was to the whole of the people, enslaved to foreign masters, and for the time down-trodden and despised. But was it in any sense a blessing? Why was England in need of the Norman? Could not Harold,



her own elected and heroic king, have ruled her as well as the stranger? Could he not have united her, if it was union that she lacked, as well as William, and without laying waste the north? On the other hand there was formed the connection with France which led to the Hundred Years' War. The Norman conquest severed from England the Saxon lowlands of Scotland, and thus put off the union of Britain. In what was the Norman so superior? England had a polity, however rude or dilapidated. Normandy had no polity; it had only a feudal anarchy held down by an arbitrary duke. The attempt of some of its people to create a commune had been suppressed in blood. Private war was there the rule. England had laws, while Normandy had none. England had writers, such as Bede, Cædmon, Alcuin, and such a patron of letters as Alfred. Normandy had no literature of her own. In church art the Norman was more advanced, though his art was imported, and the Norman masonry in England is pronounced bad. England had arts of its own, such as embroidery and illumination; church art might have come in time. In time and with peace might have come magnificence, of which the Norman had certainly a larger share. In castle-building the Norman was pre-eminent. To England that curse had been unknown. The Saxon, no doubt, was heavy and home-loving. The Norman, nearer to the pirate stock, was active, venturesome, and intriguing. Here again time was wanted. The independent self-development of a nation purely Teutonic, not in blood only, but in character and institutions, was lost to humanity. A pure Teutonic language was wrecked, and replaced by a medley, rich perhaps for eloquence or poetry, but ill-suited

for exact thought or science, so that it is compelled to borrow its scientific and philosophic nomenclature from the Greek. Civilization generally must have been thrown back by the havoc. These are questions for the historical optimist, although so completely did the Norman element at last blend with the English, that to doubt the beneficence of the Norman conquest seems like a disparagement of ourselves. The Norman is credited with a genius for political organization so superior as to compensate the evils of the conquest, with how much justice will presently be seen.

In rough times wager of battle may in some measure be a true test; might may be a real sign of right. But the victory of the Norman, hardly won, would not have been decisive had not the arrow pierced Harold's brain. Not by lack of worth was England lost, though it may have been lost partly by lack of national unity and military discipline. What was fatal was the lack of a leader in the hour of need.

Did feudalism come into England with the Norman conquest? That part of feudalism which consisted in commendation or attachment to a lord had been there before. Under the feudal system proper, as it was in France, the allegiance of the vassal was due to his local lord, and the great fiefs were principalities into which the kingdom was divided, leaving but a nominal supremacy to the king. Of this system the Norman William had experience, and against its introduction into his English kingdom he guarded by compelling all who held their lands by military service to do homage and vow allegiance directly to himself. Against the growth of principalities too strong for his control he guarded, or the

accidents of confiscation guarded him, by scattering the manors of the great lords all over the kingdom so that nowhere could any one lord command a great military force. He made exceptions only in border districts, such as Durham and Chester, where he sanctioned the existence of counties palatine or principalities as necessary bulwarks against the Scotch or Welsh. He gave no earldom to his sons.

To the constitutional antiquary must be left the question as to the origin of the feudal system. Grants of land to be held by military service seem the natural resort of a conquering power which wishes to hold and defend its conquests, be it Roman, Frank, Norman, or Turkish. Delegation of government to local chiefs seems the natural resort of every power without a central administration. Submission to a protector, or commendation, seems the natural resort of the weak in lawless times. Out of these elements the feudal system, in its various phases, may have sprung spontaneously and without imitation.

When complete the system was a polity of landowners holding their land with the jurisdiction, power, and rank attached, by military tenure, the grantee of the fief paying homage and owing fealty to the grantor throughout the scale, while the grantor owed the grantee, as his vassal, protection; the king, as arch-landowner and supreme lord, being the apex of the feudal edifice. The system was such that two feudatories might be each other's lords and vassals in respect of different fiefs, and a king holding a fief in another kingdom might be the vassal of its king.

The Norman monarchy was an autocracy with an advisory council of feudal magnates, and practically limited



by the force of the military baronage which, however, could ill afford to weaken the hands of its chief while English hatred of the Norman conqueror still throbbed. Legal limits to the king's power there were none; but he had no standing army to enforce his will unless he hired mercenaries. His army was the levy of his military tenants, bound with their under-tenants to serve him for forty days. When the system was complete a quota of knights, that is, mailed horsemen, was furnished in proportion to the extent of the land. The king could also, when the Normans were restive, call out the fyrd, or national levy of the English people, though the mailed cavalry of the Normans was still the dominant force. He was at once captain, ruler, lawgiver, if mere edicts could be called law, and supreme judge, the distinction between those functions not having been yet made. Royal justice moved about with him over the kingdom. By him order was maintained, and his peace was the curb upon private war. Without his license no castle could be built. Of him, since the conquest, all land was supposed to be held. He was supreme ruler and landlord paramount in one. He was the head of the feudal hierarchy, receiving the homage of his tenants-in-chief, as they received the homage of their under-tenants. His revenues were the produce of his fourteen hundred manors, his feudal aids, dues, and fines, his justice-fees, and his fees and fines of other descriptions; the whole collected for him in each county by the sheriff, acting as farmer-general. He had a resource at need in Danegelt, an old impost imposed in the times of the Danish wars. He could tallage or tax at will the people of his own domain, his towns included. He had the right of pur-

veyance, or taking provisions and wains, practically at his own price, for himself and for his train. He had thus ordinarily no need to come to the nation for supplies, and was free from that limit to his power. He was the fountain of honour. He appointed to all the offices of state, and, under the forms of ecclesiastical election, to the great offices of the church. His title was still, not King of England, but King of the English, dominion being not yet regarded as territorial. He had no capital, but moved from one royal villa to another, consuming the produce of his manors on the spot. The monarchy was hereditary, yet with the form and even right of election still subsisting, though with limitation to the blood royal. Primogeniture prevailed; but the rule of succession was still unsettled; necessity would have the man rather than the woman or the boy; nor was the will of the last sovereign without its influence. The church, in crowning the king with religious forms, hallowed monarchy, and at the same time pledged it to duty. Of the divinity which afterwards hedged a king there was as yet but little, yet his majesty was revered, and loyalty to his person was felt. The offices of his household, those of the steward, the chamberlain, the master of the horse, which a Roman under the Empire would have spurned as servile, the Norman noble held with pride. The chief officer of the monarchy was the Justiciar, whose name shows that he represented the king as the dispenser of justice, and who in the king's absence was regent of the kingdom.

Thrice in the year, at Christmas, Easter, and Whitsuntide, at Westminster, Winchester, and Gloucester, the king kept high state, wore his crown, gathered round him the

barons, his tenants-in-chief, who formed the Great Council of his realm, took their advice on the affairs of his government, and with them dispensed high justice, of which the House of Lords is still nominally the supreme tribunal. Legislation, in our sense of the term, as yet was not. The sole law was the custom of the realm. Beyond this there were only ordinances or decrees. The degree in which the advice of the assembly prevailed would depend upon the personal character of the king.

Besides the common council of the realm meeting thrice in the year, the king must always have had a standing council, consisting of his ministers of state, the great officers of his household, and other objects of his personal confidence, for administration and justice. This was the *Curia Regis*. It was the germ out of which both the several courts of law and the departments of government were in course of time to be developed.

No mean part of the king's prerogative was his lordship of the royal forests, where he was really as well as legally absolute and his will made the cruel forest law. In the intervals of war the chase was the vent for the Norman's energies and his relief from the dull solitude of the castle. The modern squire seeks relief from the dulness of his country house in the pursuit of game, and the modern game law is the relic of that which guarded the Norman's chace. William laid waste a vast tract in Hampshire, destroying hamlet and church, to make him a hunting-ground. The struggle against the extension of royal forests and of forest law will be no small part of the battle of constitutional freedom.

It was in his character as supreme landlord that William caused to be made a survey and terrier of his king-



dom, the famous Domesday Book, in which are minutely set down the holdings, dues, and condition of all the people. Domesday Book reveals the general dispossession of the English proprietary and intrusion of the Norman, under forms, however, of legal succession or acquisition beneath which confiscation is veiled. By the people the survey was regarded with horror as the precursor of a more searching taxation. William loved money as the engine of power, and drew a revenue, which though overstated by fabling chroniclers, was no doubt very large for those days. But the survey was also important as a step towards centralized government.

Between Norman and Englishman no legal line was drawn, no Englishman's land was confiscated on the ground of his race, nor to the Norman was any special privilege accorded except that of his trial by battle, while the Englishman kept his trial by ordeal. The existence of different race customs under the same government was in those times not unfamiliar. Saxon and Dane had their different tribal customs under Alfred. Law in primitive times was personal or tribal, not territorial. There was no legal impediment to intermarriage. A niece of the Conqueror was married to the Saxon Waltheof. Saxon landowners who retained their land apparently retained their general position. William steadily adhered to the fiction that he was the lawful successor of Edward the Confessor, and that the English as well as the Normans were his people. He had won England not for the Normans but for himself.

The aristocracy was territorial and military; military as created by conquest, as holding its estates by military tenure, and as forming a class dedicated to arms. Fiefs,

in their original conception beneficiary and granted for life, had become property subject to a relief on each demise together with other feudal rights and dues reserved for the grantor, as well as to the duty of service in war. They could not be alienated, but went entire to the eldest son or other heir, so that they were practically entailed, and formed, like the entailed estates of the present peerage, an enduring basis for the order. Each baron was a sovereign in his own manors, compelled the attendance of the serfs at his court, and governed them by his edicts, justice and police going with lordship, where the royal power in the king's person or that of his deputy did not intervene. Chivalry and knighthood with their class code of generosity and courtesy were confined to the military aristocracy. Afterwards, further to mark the distinction, armorial bearings come in. At first the sentiment of birth can hardly have been predominant, since adventurers had borne a part in the conquest. Private war, the evil privilege of feudal nobility, in which the Norman nobles rioted, was in England repressed by the king when his hand was strong. This was perhaps his greatest boon.

All tenants-in-chief were barons, a name of which the origin is uncertain; but the meaning probably is "man" of the king; a free man, perhaps, in contrast to the serf. Above the barons were the earls, territorial dignitaries with local command and revenues from their earldoms. Of these the Conqueror's policy created few, at least when rebellion had broken out among the Normans.

It has been said that the conquest was no breach of political continuity. The Conqueror did not mean to

uproot the institutions of his new kingdom, least of all those which were favourable to royal power. That he should introduce Norman institutions and laws was impossible, since Normandy had neither institutions nor laws. The Norman council may be called a continuation of the witan, though its legal powers, if it could be said to have any, were less than those of the witan had been.

The local organizations, shire, hundred, tithing, and burgh, with their assemblies, remained. The shire, or county, was still an effective district of administration and justice, though the name of the shire was changed to county, and that of the shire-reeve to viscount. It was destined to grow in importance, to be the unit of local organization, the local sphere of public activity, and at last the basis of electoral government. A great suit between the Archbishop of Canterbury and another prelate was decided in the Conqueror's reign by the county court on Pennenden Heath. Submerged, in part, for the present by the flood of conquest, the English system of local self-government was destined, when the flood subsided, to reappear. The continuation of these local organs of political life was the most valuable part of the heritage bequeathed by Alfred's England to that of later times. The national fyrd, or militia, was left in existence beside the feudal force, and to it when feudalism mutinied the kings were led to appeal. The shire with its sheriff or viscount appointed by the crown still formed the rudiment of a centralized government. But land held of the crown by a military tenure was the central idea of the Norman polity; whereas the English polity had been national, however decayed. In a return from



the basis of military tenure to a national basis constitutional progress will in a great measure consist.

At this time the Norman manor must have been everywhere the predominant mould of local life. The manors of a great lord being scattered over the kingdom were commonly managed and ruled for him by his steward, who exacted of the villain tenant his quota of forced labour on the lord's domain with such petty tributes in kind as were required by the rule of his holding. In return for this the peasant had his hut and his lot, with the privilege of pasture on the common of the manor, a relic of the tribal ownership of land in primitive times which has lasted down to our own day. The parish was commonly identical with the manor, and the parson shared authority with the steward.

The revolution extended to the church. The English primate Stigand and almost all the English bishops and abbots were, on various pretences, Rome conspiring, ejected, and Normans were installed in their room. Papal legates appeared in England, were received by William as gods, and inaugurated drastic reforms in the high church sense, which was the sense of William as well as of Rome. To a great extent, Hildebrand's will was done. A sharp line was now drawn between church and state; the church was henceforth to deal with matters ecclesiastical in her own assemblies apart from the council of the nation. She was to have her separate jurisdiction over spiritual persons and in spiritual causes. The bishop was no longer to sit with the sheriff in the shire court. That division was made between the temporal and the spiritual power, each with its own sword, from which were presently to flow antagonism and bitter



conflict. The arrears of Peter's pence were paid; celibacy was enjoined on the priesthood; everything was reformed on the high church model, so far as the rough English character would permit. Hildebrand demanded more. He called on William to do homage for his kingdom in token that he held it as a fief of the Holy See, again showing how far was the papacy from being purely a spiritual power. But the time for this had not yet come, nor was William the man. The kings before him, William said, had done no homage, nor would he. Instead of doing homage, he laid down rules which became principles of the English monarchy; that no pope should be accepted in England till he had been recognized by the king; that no papal missive or legate should be received without the king's permission; that nothing should be enacted at any synod without his consent; that without his knowledge no tenant-in-chief should be excommunicated and thereby debarred from the service of his lord. Norman kings appointed the bishops under the form of election by compliant chapters, much as the crown now appoints under the form of a *congé d'élire*. Only the Archbishop of Canterbury, being obliged to receive the mystical pall or tippet from Rome, owed his appointment so far to the pope, and represented before the crown the papal power. William, when a lord bishop guilty of a breach of feudal fealty pleaded his ecclesiastical immunity from secular law, showed that he understood the distinction between the spiritual and the temporal by arresting the feudatory with his own hand. There remained, however, the ineffaceable fact that papal authority had been admitted when its sanction had been sought for the conquest, while by severance of the

church, with its tribunals and assemblies, from the state, the king ceased to be, what the kings before the conquest had been, head of the church, as well as of the state. As a necessary consequence came a separate church law with the appellate jurisdiction of the papacy in its train.

Not as ecclesiastics but as magnates and landowners the archbishops, bishops, and mitred abbots, lords spiritual as they were afterwards called, sat with the lay barons in the great council of the realm, of which by their number and intellectual superiority they formed a most important part, thus giving power to the ecclesiastical interest, but at the same time identifying it with the state.

In the character and learning of their high ecclesiastics, imported if not native, the Normans were superior to the English. The king did well for the English church and for himself at the same time by choosing as his minister in ecclesiastical affairs and his general adviser Lanfranc, prior of Bec. Though prior of a Norman abbey, Lanfranc was not a Norman, but an Italian, a scion of the church at large, and thus fitted to act as a mediator between races, with a mind liberalized by learning. He looked down upon the English, but did not hate them, identified himself with his new field of action, upheld the rights of the English church, made the best order that he knew, revived synodical life, promoted church-building and art. He enhanced the grandeur and influence of bishoprics by transferring them from villages to cities. He was a good specimen of the men whom the church could give to the state. Papal he was, of course, but he must have concurred with William in limiting papal claims. Whatever Lanfranc might do, however,

the spiritual shepherds of the English after the conquest, foreigners in race and language, would, in the eyes of the people, be foreign wolves. A Norman abbot, having quarrelled with his English monks, brings archers into the church to shoot them down.

England was a member, now more thoroughly than ever a member, of the religious confederation of Latin Christendom, the language of which henceforth was that of her church and generally that of her men of letters, ousting the vernacular English for many a day from literature and the service of religion. With the rest of that confederation, she was falling under the autocracy of the pope. The see of the Imperial city, surviving the Roman Empire, became, amidst the chaos of barbarian invasion that ensued, the natural centre or rallying-point of the Latin church; legend, which ascribed its foundation to the prince of the apostles, helping to establish its primacy. Its primacy, even its supremacy, might be useful when the pope was Gregory the Great, who declined as impious a title importing universal sway. But with Hildebrand opened an era of papal ambition, aiming at lordship not only over the whole church, but virtually over the state, on the ground that the spiritual was above the temporal, as though that warranted a claim on the part of the spiritual to the kingdom of this world. Papal dominion was supported in each country by the clerical order, whose privileges, however unreasonable, it upheld, and was extended by appeals to superstition, as well as by playing on the fears and rivalries of monarchs, while the papal councils, unlike those of other governments, never changed and were guided with an address above that of the rude kings



and nobles of the time. The papacy was fast becoming an empire, triple-crowned, of ecclesiastical ambition, encroaching on the domain and warring against the rights of national governments; and, though it sometimes lent a sinister support to patriotism, its political influence will be found, as we proceed, to have been as a rule upon the other side. Usurpation, indeed, could hardly be a blessing, especially when it had to be sustained by intrigue, forgery, and lies. The Hildebrandic papacy was in its very essence intolerant and persecuting; the enemy, therefore, of truth, of science, of progress, and of the highest civilization. It had in it from the beginning the extermination of the Albigenses, the persecution in the Netherlands, the massacre of St. Bartholomew, the Inquisition, the imprisonment of Galileo, the murder of Giordano Bruno. Its latest utterance, the Encyclical, 1864 still avows its tendencies and designs. It could never pretend even to universality, for, calling itself universal, it has always been Italian.

The church had wandered far from the hillsides of Galilee, on which peasant crowds listened to the simple words of life and love. It had become dogmatic, sacramental, ceremonial, thaumaturgic, sacerdotal, hierarchical, papal. It had framed for itself a body of casuistry and a penitential tariff of sin. It had set up the confessional and the influence which to the confessional belongs. It had invented purgatory and masses for the dead. It had imbibed into its own veins not a little of the polytheism which it slew, worshipping the Virgin and the Saints, adoring relics, practising pilgrimage. It had borrowed from the East asceticism and set up the ascetic ideal. It had adopted clerical celibacy, severing the clergy from



the commonwealth and the home. It had become intolerant and persecuting. Instead of subsisting by the freewill offerings of the faithful, as in its early days, it subsisted by compulsory tithes, using the arm of force to collect them. By receiving grants from feudal princes, it had been incorporated into the feudal system, and its chief pastors had become feudal lords, sometimes feudal soldiers, often ministers and courtiers of the powers of the feudal world. To strike the balance of its spiritual merits against its spiritual demerits with due allowance for the needs of a coarse and violent age would be extremely difficult, and is not our present object. It is with political action only that we have here to do. Politically the church did service, though by no means unequivocal, in curbing, by the assertion of its privileges, the despotic power of monarchs. It did service, though in a way injurious to its own spiritual essence, by furnishing to the rude councils of military kings and barons statesmen comparatively educated, comparatively large-minded, and comparatively studious of peace. It did a service still more gracious by opening, in an age of feudal aristocracy, the paths of preferment to the poor and low-born, whom it raised through its orders to high places, both ecclesiastical and secular; though in this good work it had a partner in municipal privilege, which sheltered the fugitive serf and admitted him to the fellowship of industry and trade. Against these political merits are to be set disorders arising from clerical privilege, which will presently be seen. The church fostered such literature as there was and generally the arts of peace, including that ecclesiastical architecture which by its grandeur and poetry impresses and

enthral us still. On the other hand, by her dogmatic intolerance she crippled thought and fatally barred the advance of science. She gave us the Chronicles and the School Philosophy; she extinguished the lamp of Roger Bacon. A supreme tribunal of morality, social and intellectual, with a chancery of public law, was indeed a magnificent idea. But for its fulfilment it required such presidents as hardly any of the popes were, such detachment from temporal interests and ambition as never was shown by Rome. What the pure spirit of Christianity, working through, apart from, or against the ecclesiastical organization, may have done for the moral and social character, is a different question.

The wail of the English nation made itself heard at Rome. It touched, we are told, the hearts of some cardinals. But it smote in vain on the stony heart of Hildebrand. Guitmond, a Norman monk, who had crossed the sea at William's bidding, refused to stay in the conquered land and share its benefices, saying that God hates robbery for burnt-offering, and asking with what face he, one of an order whose profession it was to forsake the world, could share spoils won by war and bloodshed. He trembled, he said, as he looked on England lying before him one vast prey, and shrank from the touch of its wealth as from a burning fire. The Norman Gulbert of Hugleville had loyally followed his lord across the sea and fought well under his standard. Having seen William firmly settled on the throne, he went back to his Norman home, preferring his modest heritage there to wealth won by rapine. We can thus gauge the morality of the papacy as re-

presented by the most famous of popes, and determine its worth as the moral regulator of Christendom.

The monarchy, the aristocracy, the church in its political aspect, will for some time be the three pieces on the political board. By their interaction and collision, at first almost blind, the rudimentary constitution will be formed.

The towns are still very weak. They are little better than collections of wooden and thatched huts. Some of them had been shattered by the conquest. Over them frowned the Norman keeps; over London frowned the Norman Tower. London is a considerable place of trade; it shows military force; and in the distraction which followed the battle of Hastings it for a moment led the nation. But it seems to have had no regular government of its own, though it probably had the rudiment of a municipality in the form of a guild. It was through its bishop and its port-reeve that it received from the Conqueror the grant of a brief charter, or assurance of liberties. Of the other chief cities, York, the old Roman capital of the north, Winchester, Gloucester, and Bristol, not one can have exceeded the present measure of a petty town. The towns generally were mere clusters of houses, without municipal government, in bondage to the crown or the lord on whose manor they were, and liable to be tallaged or taxed by him not less than the rural serfs.

Pending the emancipation of the cities and the labourer, the aristocracy and the church, struggling for their own privileges, play in some measure the part of provisional champions and guardians of liberty.

As to the labourer, centuries must elapse before he



appears at all on the political field. Villainage or serfdom is his common lot, and the opprobrious meaning associated with the name of villain shows that the lot was despised. The villain was bound to the soil, and could be sold with it; though he could not be sold apart from it like a slave. The chattel slave, it has been conjectured, gained by elevation to villainage while the peasant or yeoman was degraded to it. Political rights the villain had none. In shire-mote or hundred-mote he was unrepresented. Personal rights he had against all men except his lord. Such was his social status. His industrial emancipation was in the end to be accomplished by legal decisions which recognized his customary right to his holding by the tenure of fixed services and dues. Political emancipation in time followed.

William was a strong ruler, and a strong ruler was a good ruler in those times. This the English chronicler admits, regarding him rather with awe than with hatred. He had strict notions of law, though he could wrest it to his will, and the forms which he respected were to become substance at a later day. He wished even to be merciful, and thought to show mercy by mutilating instead of putting to death.

Scarcely had he quelled the English when his struggles with Norman turbulence began. At a fatal marriage feast a rebellion against him was hatched by some of his chief nobles and insurrection broke out. He quelled the insurrection and put to death Waltheof, the last English magnate, who had at first been drawn into the conspiracy but had afterwards revealed it in confession, an incident which suggests that the Norman confessional may have served the purpose of detective police. William had given



Waltheof his niece Judith in marriage, a proof that he wished to draw to him the English nobility. But Judith, it seems, resented the marriage as one of disparagement, and used her influence against her husband. Then William's half brother, Odo, Bishop of Bayeux, who had blessed the Norman army at Hastings, fired by conquest, conceived a wild scheme of taking a body of William's liegemen away with him to Rome to carry the papacy by storm. Finally came a struggle of the Conqueror with a cabal of his restless feudatories in Normandy, headed by his own son Robert and backed by his jealous suzerain the king of France. Such was the superior genius of the Norman for political organization.

1078-  
1079

William's end showed the influence of religion. He sent for a holy man to be near him. In his last moment he commended his soul to Mary the Mother of God, the sound of whose church bells fell on his dying ear. If a chronicle is to be trusted, his conscience called up in long train the acts of his stormy life, the evil deeds which he had done, and the blood which he had shed in the path of his ambition. We see here the action of a moral restraint unknown to Attila or Timur. Of this the church in virtue of such Christianity as it embodied, was the organ. Yet it had not availed to prevent the crime, and to the sufferers, at all events, the deathbed repentance was little worth.

When William expired, general panic ensued, and men fled to their possessions, looking for a reign of anarchy and pillage. The corpse of the Conqueror lay naked and untended till a knight of the neighbourhood took it into his pious care. So momentous was the king's peace, which was suspended by the death of the king. The oppressed

people of England had half forgiven the oppressor for the good peace which he had made.

At length the Conqueror reached his last resting-place in his own magnificent church at Caen. Round the bier stood the nobles and prelates of Normandy. The Bishop of Evreux pronounced the funeral oration, rehearsing the great deeds of the departed, and asking the prayers of the assembly for the illustrious soul. But as the corpse was about to be lowered into the grave, Ascelin Fitzarthur, a private citizen, stood forth and forbade the burial, saying that the ground was his and that he had been wrongfully deprived of it. He was promised the full value of his land. Underneath institutions or changes of institutions and the conflicts between political forces lies the Teutonic spirit which makes each man an Ascelin Fitzarthur or a Hampden in standing up for his right. The Norman conquest of England was at all events a conquest by kinsmen, though kinsmen who had changed their name and tongue.

## CHAPTER III

### THE SUCCESSORS OF THE CONQUEROR

#### WILLIAM II

BORN 1060; SUCCEEDED 1087; DIED 1100

**T**HE Conqueror on his deathbed left Normandy, as the patrimonial domain, to his eldest son, Robert, an adventurous and chivalrous soldier, but unfit for rule. Of England, which required a strong ruler, he hesitated, or affected to hesitate, to dispose, as it had been won by bloodshed. But at last he nominated his second and favourite son, William. With a letter to Lanfranc, 1087 William sped from the bedside at Rouen while his father still lived. Lanfranc, having read the letter, did the Conqueror's will by crowning William Rufus. William thus mounted the throne by nomination, without, so far as appears, any form of election, though Lanfranc pledged him to good government.

With the reign of the Conqueror's successor comes a struggle, first between the crown and the baronage, then between the crown and the church.

In character as in person the red-faced and round-bellied Rufus was a coarse and debased likeness of his father. He shared the Conqueror's force. He had something of the Conqueror's greatness of soul. He puts to sea in a storm and bids the seamen fear nothing, for no

king was ever drowned. He takes into his service the gallant soldier who had unhorsed him in combat. The enemy to whom his word has been plighted he lets go, though braved and threatened by him, bidding him do his worst. He curses his chamberlain for bringing him boots which had cost too little, and is satisfied when a pair is brought him which, though not better, had cost a more royal price. He builds an immense hall at Westminster and says that it is a bed-chamber to the palace which he is going to build. He magnanimously refuses to question the good faith of a knight. He had been a dutiful son, always at his father's side ; and though he was rapacious, and was not pious, he spent the treasure bequeathed to him freely in masses for his father's soul. It has been said with apparent justice that Rufus was a man of honour with a caste code, who behaved like a gentleman and kept his word to his own circle, while he trampled on the rights of all below.

His force, the king had soon occasion to show. The 1088 Anglo-Norman nobles again displayed their superior genius for political organization by breaking out into feudal anarchy. They did not want to be cut off from Normandy, and they preferred the weak Robert to the strong William. But they found their master. Rufus called for aid, not only on the tenants of the crown, but on the national levy of the English generally or in some districts. His call was heard, and Odo of Bayeux, the soldier-prelate of the conquest, and one of the worst oppressors of the conquered people, left his fortress, which he had been compelled to surrender, amidst the jeers of an English host. The subject race for a moment lifted its head and tasted revenge. Rufus put his feuda-



tories down and held them down. All that his father  
1091 bequeathed to him he kept. He added Cumberland,  
which he wrested from Scotland, forcing the king of  
Scots to pay him homage. He restored and fortified  
Carlisle; he carried the conquest into South Wales.  
1095 Unhappily he afterwards became master of Normandy,  
which fell into his hands through the thriftlessness and  
recklessness of his brother Robert, and thus renewed a  
connection destined to be the source of endless woe. A  
second rising of the great barons was put down with the  
same vigour as the first.

William of St. Carileph, Bishop of Durham, had been implicated in the rebellion. When he was called to account he pleaded ecclesiastical privilege, thus raising the question between church and state. The king and the great council overruled his plea. He was ejected from his see and banished from the realm.

While the great Lanfranc lived, his pupil seems to have kept some bounds. When Lanfranc died, the evil nature of Rufus broke loose; it broke loose with a vengeance, as an evil nature is apt to do when the restraint is not conscience but an external authority or a formal system, such as that of the medieval religion. The king became a monster of tyranny and lust. He filled his coffers with the fruit of his lawless exactions, and his dungeons with the victims of his injustice. He did not marry; his bachelor palace was a den of sensuality; he gathered there a circle of young nobles whose habits were as infamous as his own, and among whom, when the lights were extinguished at night, unspeakable scenes of debauchery ensued. He became impious as well as tyrannical and immoral, scoffed at religion, set Christian

priests and Jewish rabbis to tilt against each other in argument before him, declaring himself open to conviction, and for a fee undertook to reconvert to Judaism a Jew who had been converted to Christianity. So the chroniclers tell us. The vices and the effeminate fashions to which the young Normans are said to have been addicted are a strange comment on the alleged superiority of the ruling race. Nor do the unchecked debaucheries and impieties of the king say much for the moral authority of the Norman episcopate or of the papalized church. What sinner, what heretic even, was to be excommunicated, if Rufus was not?

A minister of his extortion Rufus found in Ranulph Flambard, or the Firebrand, a clever and knavish priest, who at last, as Bishop of Durham, partly atoned for his roguery by his share in building the mightiest and most impressive of the old English cathedrals.

Flambard, as justiciar, is credited with having reorganized and perfected for the purpose of fiscal exaction the whole system of feudal claims and dues. The theory of Flambard and the feudalists was that the fief was still a benefice or grant, reverting to the lord as grantor on each demise of the tenancy, and for the renewal of which the lord was entitled to levy a fine or relief. To prevent intermission of the service due to the lord through the minority of the heir, the lord was entitled to the custody of the fief. That heiresses might not marry an enemy of the lord, he was entitled to dispose of their hands in marriage. Regular aids were to be due for the ransom of the lord from captivity, for knighting his eldest son, and the marriage of his eldest daughter. Besides all this there were to be escheats upon failure of heirs, forfeitures

for breach of fealty, fines for failure of service. The whole formed a code of feudal property laws, and in such hands as those of Flambard, a network of chicane. Rufus and Flambard exacted excessive reliefs, pillaged the estates of minors, sold the hands of heiresses, and imposed exorbitant fines. The royal rights of forest could not fail to be abused for the purpose of fiscal extortion, as well as through the cruelty of the forest laws, carried to the highest pitch by a monarch whose passion was the chase. Rufus seems also to have been taught by his justiciar to make himself executor-general to his subjects, and in that capacity to have seized on the personal effects of the deceased. Another instrument of extortion was the Jew, who had prowled as usual on the track of conquest, and, being protected by the king, whose chattel he was deemed to be, in the practice of usury which was forbidden to Christians, acted as a sponge which when filled could be squeezed by the arbitrary hand of the king. What the tenant-in-chief owed to his lord, the under-tenant owed to the mesne lord, so that oppression might work downwards through the whole feudal chain from the lord paramount to the tenant paravail.

There does not seem to have been any resistance to the tyranny on the part of the lay feudatories or people. The council of barons apparently exercised little power. Ranulph Flambard filled the treasury and enabled the king to keep bands of mercenaries, of which unsettled Europe supplied plenty, in his pay. Such resistance as there was came from the head of the English church, and it forms a memorable episode in the history of relations between church and state.

Among other devices Flambard asserted that the



estates of bishoprics and abbeys, as fiefs, not only were liable to the same services as other fiefs, which in reason they were, but were subject to lapse during vacancies into the hands of the lord, as lay fiefs were subject to wardship. Bishoprics and, still more, abbacies were kept vacant, the king refusing to nominate, while the profits of the estates, raked in by Flambard, swelled the revenues of the crown. The simoniacal sale of bishoprics was also an item in Flambard's budget.

The archbishopric of Canterbury was vacant on the death of Lanfranc. The king kept it vacant for four years and drew the revenues of the see. He was thus rid, moreover, of the archbishop's authority; and, as there were two popes in the field, and he had not acknowledged either Urban or Clement, he was rid of church authority and restraint altogether. The church of England was without a head; her corporate life was suspended; no synod could be held, no canons could be made, nothing could be done to reform the scandalous manners of the court. Popular grievance missed its tribune; there was no one who could appeal with authority for the suffering people to the conscience of the king. They besought the king to fill the see. They tried to prevail with him in a delicate way by begging his leave to have prayers said that his heart might be turned and that he might be moved to give the church a chief shepherd. He said they might pray as much as they pleased, but he swore by the holy face of Lucca, his favourite oath, that there should be no archbishop in England but himself.

Rufus, however, fell sick, and, as his free-thinking was of the heart, not of the head, it gave way, and he had a fit



of repentance in which the prison doors were opened and promises of amendment, restitution, and reformed government were made. He consented also to fill the see of Canterbury. Anselm, the abbot of the famous Norman Abbey of Bec, was then in England, and had been consulted in the case of the king's soul. The general wish of good churchmen designated him for the see. He is one of the most beautiful and sweetest characters of the middle ages, a saint indeed, not a fakir of asceticism, combining piety, meekness, humility, simplicity, freedom from everything carnal or worldly with active benevolence and virtue; so at least his loving attendant and biographer, Eadmer, has painted him. Born at Aosta, beneath the spiritual glories of the Alps, he had conceived longings for the perfect life, that is, the life of the monk, which led him to leave his parents, who fondly opposed his desire, and his home. He wandered to Normandy, where he entered the Abbey of Bec, Lanfranc's abbey, and became its prior, then its abbot. His name was now in all the churches as theologian, as educator, as spiritual director. As a theologian he was the precursor of the school divines, yet evangelical, and the author of a metaphysical proof of the existence of God which long held its place in religious philosophy; nor have his works been consigned to oblivion. As an educator dealing with the school which according to custom was attached to his monastery, he was the apostle of a gentler and better method than flogging, the established treatment in those days, and when a schoolmaster complained to him that though he was always flogging his boys they did not get on, he answered that the reason why they did not get on was that they were always being flogged. As a spiritual director he

was the most consummate of the fishers of men. The jealousies and cabals of which monasteries were the hot-bed, and which his appointment at first stirred, soon disappeared before him. The malice of a young novice who had persecuted him was by his gentle skill turned into passionate and, if a monastery could admit romance, romantic friendship. By force of sympathy he could work what a simple age took for miracles in conjuring away the hideous phantoms bred by the morbid fancies of men, some of whom had turned monks after a life of wild crime, some from impulses half insane. He was active also in the infirmary. His benevolence embraced even suffering animals, the hunted hare and the captive bird. He had visited England in the last reign, had found Lanfranc turning the English saints out of the calendar as the English bishops had been turned out of the sees, and had stayed his hand, telling him that Elpheg, whom Lanfranc was about to discard as a martyr not to religious truth but to patriotism, in being a martyr to righteousness was a martyr to the truth. In the saint's presence the Conqueror had put off his pride. On his deathbed he had sent for Anselm, whom sickness prevented from answering the call. Anselm had now come to England, partly on the business of his abbey, which held English estates, partly to assist Hugh Lupus, or the Wolf, the fat earl of Chester, a licentious soldier of the conquest, in the reorganization of a monastery to redeem the earl's soul. Rufus, before his sickness, suspecting that Anselm had an eye on the archbishopric, had made him the butt of his jests; but when he was sick he resolved to appease heaven by a holy nomination. We may believe Eadmer when he says that Anselm was

unwilling to be made archbishop. Even the temporal business of his abbey had been a burden to him; how could he, saint, philosopher, and philanthropist, wish to be lord and manager of a great fief with all its obligations, military as well as civil, and at the same time head of the English church and chief counsellor of a king, that king being William Rufus? To put him at the side of such a monarch was, as he foresaw, to yoke an old and feeble sheep with an untamed bull. But they dragged him to the king's bedside, they forced the pastoral staff into his clenched hand, they raised the *Te Deum* over him, and bore rather than led him, still resisting and at last fainting, into the church. Anselm continued to struggle against the dangerous promotion, objecting his allegiance to the Duke of Normandy, his duty to his abbey. His objections were swept away and he was consecrated and  
1093 enthroned as archbishop. Flambard, according to Eadmer, obtruded his insolence even on the consecration day, by commencing a vexatious suit against the archbishop.

Rufus got well, and his last state, according to the chronicler, was worse than the first. All the oppression and extortion began again, and the prison doors closed upon the captives. When a bishop remonstrated, the king's answer was, "By the holy face of Lucca, God shall never receive good at my hands for the evil I have received at his." Soon he began to quarrel with his saintly archbishop. First he tried to extort blackmail for the induction of Anselm into his see. Anselm, fearful of the reproach of simony, nevertheless for the sake of peace offered five hundred pounds. Rufus, by malignant advice, rejected the gift, and the archbishop fell from the king's grace.



Anselm now addressed himself to the moral disorders of the young courtiers, their effeminate extravagance in dress, and their flowing locks. He preached on Ash Wednesday, we are told, with such effect that many debauched heads were submitted to the barber. But when, seating himself by the side of the king, who was bound for Normandy, he prayed him to restore religion and let a synod be called to that end, the king's answer was rough. Still rougher was it when Anselm conjured him to let the abbacies be filled that monastic order might be restored. Anselm sought the advice of the bishops. The bishops, men of the world, who had probably bought their own mitres, could only suggest the offer of a round sum. It was thus that they read the riddle of the king's answer to Anselm's prayer for restoration to royal favour, "that he would not do it because he knew of no reason why he should." Anselm declined to shear his already close-shorn tenantry. The king refused to take Anselm back to his grace, broke out into a storm of hatred, and departed for Normandy without the primate's blessing. 1095

Anselm now asked the king's leave to go to Rome and receive the pallium from Pope Urban. The king had returned in a bad humour from an unsuccessful expedition. His wrath flamed out. Urban had not been recognized by him, and the primate, he held, was committing treason against the custom of the realm which forbade the acceptance of any pope who had not been recognized by the king. As to the custom, Rufus was right; but Anselm, while he was Abbot of Bec, had recognized Urban, and before his consecration as archbishop he had stipulated that this recognition should hold good. It seems he had put up with an ambiguous answer; if he



did, his bashfulness cost him dear. The dispute came to a head, and to settle it and condemn Anselm, if he was guilty of a breach of allegiance, the grand council of the tenants-in-chief, including the prelates and abbots, was called. 1094 It met at Rockingham Castle, on the verge of a wild forest, where Norman power was most terrible, though a churchman would generally be secured against violence by his order, even in a tyrant's hold. The council was held in the castle chapel. In a chamber apart sat the king with his two chief councillors, William of St. Carleph, Bishop of Durham, who had now changed his convictions as to the relations of the church to the state, and Robert, Earl of Mellent, the Achitophel of his age, prosperous under every star, and the glass of fashion as well as of statecraft. The bishops, under the influence of the crown, perhaps also in some measure from political conviction and desire of peace, did their best to persuade Anselm to give way. Give way on the principle he would not, though he was anxious to do anything for peace and fervent in his expressions of loyalty to the king. As the bishops would not stand by him and give him faithful counsel, he declared that he would betake himself to the angel of counsel, the universal shepherd, the pope; he would render to Cæsar the things which were Cæsar's, to God the things which were God's; in things which were Cæsar's obey the king, in things which were God's obey Peter. As Peter was not God, but an Italian priest, this was an avowal of divided allegiance. While his enemies were in consultation Anselm retired into a corner and fell asleep, a sign which was not lost upon Robert, Earl of Mellent. If we may believe Anselm's biographer, he received a proof of popular sympathy from

a knight who, stepping forth from the crowd, knelt before him and bade him be of good cheer and emulate the patience of Job. After two days' debate the king called peremptorily on the bishops and barons to pronounce sentence of deposition. Here he found the moral limits of his own power. The bishops dared not depose their primate, the barons shrank from launching against the ecclesiastical chief of their own order a bolt which might recoil upon themselves. The king's wrath was vented on the bishops, in whose shame Anselm's biographer triumphs. The end was an adjournment of the council and a truce which the king at once broke by a persecution of Anselm's friends.

The king and his party now changed their tactics. They would recognize Urban as pope, and get him to rid them of Anselm. Here they were playing against Italians more than a match for them in subtlety. Two clerks of the king's chapel, William of Warewast and Girard, went on a path, afterwards well trodden by kings' envoys, to Rome, to see how the day was going between the pope and the anti-pope. They returned, bringing with them as the pope's representative Cardinal Walter, Bishop of Albano, the first papal envoy seen in England since the legates who had done Rome's part in the conquest. The cardinal dallied till Anselm's friends took fright and began to cry out against the venality of Rome. But in the end the king got from him nothing but courtly and unctuous words. Rome understood her game too well to sacrifice Anselm. Not even a large bribe which Rufus offered could tempt her to sell the keystone of her arch of power. There was nothing for it but a reconciliation, which took place

after a vain attempt on the part of the bishops to cajole Anselm into buying back with money the king's favour. The courtiers tried to persuade the cardinal at least to pay the king the compliment of letting him bestow the pallium. The Italian knew better. He laid the pallium on the altar at Canterbury and let Anselm take it thence, as it were from the hand of Peter. Two of Anselm's enemies among the bishops avowed their penitence and were absolved. There ensued a hollow peace with an outward show of amity which gave Cardinal Walter occasion for saying how blessed a thing it was to see brothers dwelling together in unity.

1096 The peace did not last long. Robert of Normandy going on crusade to raise funds for his outfit, mortgaged his duchy to Rufus. To raise the loan, Rufus laid his hands on everything, sacred or profane, on the reliquaries, the holy vessels, the golden facings of the missals. Anselm was pressed for his contribution. With the advice of two bishops, he took from the treasury at Canterbury two hundred pounds, making it up to the church by a mortgage of one of his own estates. Rufus, however, presently renewed his persecution of Anselm, on the pretence that the Canterbury fief had not furnished its contingent duly armed for a campaign in Wales. Meantime there was no hope of reform. The spoliation of churches and monasteries still went on. Vice still reigned, and the king was still the chief sinner. Anselm resolved to go and cast his burden on Peter. Attending the court at Whitsuntide, he asked the king for a license to leave the realm, and was met with a scoff; "he had committed no sin needing absolution, and for advice, he was better able to give it to



the pope than the pope was to give it to him." At a meeting of the great council which followed, the request was renewed and was again refused, with a threat of seizure of the primate's estates if he left the realm, which, however, as it touched fiefs generally, seems to have bred some division in the council. There was more parleying between Anselm and the bishops, who told Anselm that he was a saint, that they were not saints, but men with earthly ties, that they could not afford to break with the king, and that they advised him to give way. Money, they always hinted, was the sure passport to the king's grace. That no one should go to Rome without the king's leave was undoubtedly the law, and here the king had the barons on his side. Anselm contended that if he had promised to obey the law of the realm, it was with a tacit reservation of his duty to God, a plea which even untutored soldiers might perceive to be subversive of good faith. As he went on discoursing, the Count de Mellent exclaimed that he was preaching a sermon, not reasoning to men of sense. Anselm had clearly again proclaimed the doctrine of an allegiance divided between the king and Peter. He was warned that his estates would be seized, and that he would be allowed to take nothing with him out of the kingdom. He meekly parried the threat, and desired that, as he and the king might never meet again, the king would at parting receive his blessing. Rufus sullenly bowed his head to receive it.

At the port, Anselm underwent the indignity of search. 1097  
The estates of his see were seized. At the papal court, he was received with the highest honour as the pope of another world. In the Council of Bari he shone as the 1098



great theologian of the day, vindicating the orthodox doctrine of the Procession of the Holy Ghost against the heresy of the Greek. In his exile, though stripped of his estates by royal wrath, he did nothing hostile or disloyal to the king. On the contrary, when the papal thunderbolt was about to be launched against the enemy of the church, he arrested it by his prayer. Presently, however, he found the papal support failing him; the gold of Rufus had prevailed against him at Rome, and he went into pensive retirement at Lyons. Assuredly, if ever the church rendered a political service by opposing moral to physical force and curbing the arbitrary will of kings, she did it in the person of Anselm.

Rufus went on in his old courses. Like other Normans, he was a mighty hunter, and one of the most grievous parts of his tyranny was his savage execution of forest law. One morning at the royal seat of Winchester, after a night of bad dreams, he had dark presentiments. But in the afternoon, having dined and drunk deeply, he recovered his spirits and went out to hunt in the New Forest, which his father had made by levelling church and hamlet with the ground. At evening there came to Winchester a party of peasants bearing on their rough cart a corpse which they had found in the forest. It was that of Rufus, with an arrow in the heart. Who shot the arrow was never known. Walter Tyrrell, who had been with Rufus in the forest, fled. Monks had dreamed prophetic dreams; the news was spread in miraculous ways; there had been a plot before for slaying Rufus in a forest. Probabilities point to tyrannicide, a fact of political significance in its way. The Red King was laid without religious rites

in a lowly tomb. None, we are told, wept for him saving hirelings and harlots; yet Anselm, who is said to have wept, would feel that he had lost a soul.

#### HENRY I

BORN 1068; SUCCEEDED 1100; DIED 1135

The struggle still goes on between the crown and the baronage, and that between the crown and the church is renewed. The crown is somewhat weakened by breaks in the succession.

Robert, the Conqueror's eldest son, was far away on a crusade. Henry was on the spot. He galloped to Winchester, seized the treasure, thrusting aside its keeper, De Breteuil, who barred his way in the name of Robert, the legitimate heir, and had himself elected king. The nature of his title and the elective character of the monarchy he clearly admitted, designating himself as elected by the clergy and the people, that is, the baronage, the only people of account. He had the advantage over his brother of being born in England. To win support, he published a charter, the prototype of a greater charter to come, granting redress of grievances. The church of God shall be free, not sold or put to farm; nothing shall be taken from her during the vacancy of bishopric or abbey; from the heir of the tenant-in-chief, no more than a first and lawful relief shall be taken; and as it is done by the king to his tenants-in-chief, so shall it be done by the tenants-in-chief to their under-tenants; if a feudatory incurs forfeiture, he shall pay only a fixed fine; the abuses of marriage and of wardship shall cease; bequest of personal property shall be free, and the per-

sonalty of an intestate shall go to his family; debts owing to the crown are forgiven, suits set on foot by it are stayed; the coin shall no longer be debased; the hundred shall no longer be blackmailed on a pretence of its responsibility for a murder. The forests Henry, having the family passion for the chase, refuses to resign. An immunity from fiscal extortion granted to the domain lands of the knights reveals the existence of a class of landowners below the baronage, a class of country gentlemen destined hereafter to be of the highest political importance. Firm peace is to be established throughout the realm. To the English people generally is promised the law of King Edward, which to the English ear meant the good old times. Manners are to be reformed, and the palace is to be swept clear  
1100 of its vices and lighted at night. Anselm is recalled with honour. Flambard is thrown into prison, though  
1100 the rogue manages to escape by letting himself down with a rope conveyed to him in a pitcher of wine. The vacant bishoprics and abbacies are filled with learned clerks. There is general joy, and everybody says that the Lion of Justice foretold by Merlin has come.

A lion had indeed come, and in some measure he was a lion of justice. The Conqueror's gifts seem to have been shared among his sons. Robert had his spirit of adventure, William his prowess as a soldier, Henry his statesmanship. Henry is not unqualified for the command in war, which is still regarded as one, perhaps as the first, of the duties of a king; but he prefers the arms of the cabinet. The times are growing milder and more civilized; there is a faint revival of literature and elegant Latinity; the University of Oxford is born.



War itself is becoming, among the knights at least, less savage and more of a tournament. Henry had shared the general influence; he was surnamed Beauclerc; he was a naturalist, and had a zoölogical collection at Woodstock. He was as cold-blooded as his brother had been hot-blooded, and as calculating as his brother had been impulsive. From his eyes, described by the chronicler as soft and mild, a light not soft or mild must sometimes have gleamed. A wrong he seldom forgave, an insult never. The troubadour who had satirized him was blinded; a faithful servant was severely punished for a light word. Conan, the rebel of Rouen, Henry led to the top of a high tower, and, after showing him in mockery the fair scene below, to the command of which the rebel had aspired, with his own arms flung him down.

Scarcely had the new king seated himself on the throne when Robert, covered with glory from the crusade, arrived to claim his birthright, and invaded England with a Norman army, Flambard having debauched the fleet which watched the channel. He might have taken Winchester, the royal city, and the treasure-house; but the queen lay there in child-bed, and the crusader, by refusing to attack her, showed that the era of chivalry was fully come. The principles of election and legitimacy as titles to monarchy now confronted each other. In face of a Norman army, such as had conquered England, stood an army partly of Normans, partly of English. Henry, we are told, went among the English foot-soldiers teaching them how to meet the Norman horse. But prudence, kinship, the interest and pride of race, prevailed, and a treaty was made, Henry keeping England, 1101



1101 Robert Normandy, for life, with cross remainders, and Henry paying Robert yearly three thousand marks, for which sum the gallant spendthrift, who was said to have to lie abed because he had pawned his clothes, was willing to sell his birthright. This introduced another sort of title to the kingship, which was here settled like a private estate subject to contract, mortgage, and devise. Still, within the limits of the royal line, the strong man, or the man of the hour, was king.

1100 In the moment of peril Henry, like his brother, had appealed to the English. To bind them to him he married a Saxon princess, Matilda, daughter of Malcolm Canmore, king of Scotland, and of Margaret, the sister of the English Prince Edgar Atheling. Normans might scoff at "Goodman Godric and Dame Godiva," but Henry kept his Godiva till she had borne him an heir; then he allowed her to become a nun. That this was policy, not feeling for the subject race, Henry showed by a constant preference for natives of Normandy, especially in appointments to bishoprics and abbasies.

A king who meant to govern, as King Henry did, was sure to come into collision with the baronage, and the hydra of feudal anarchy had been stirred by Robert's advent. Henry showed his force. Robert Malet, Robert De Pontefract, Ivo De Grandmesnil, were brought to trial; the first two were banished, and all were fined or stripped of their estates. Most formidable and worst of all was Robert De Bellesme, a Norman Eccelino, who loved cruelty for its own sake; spared his enemies in war that he might see them die of hunger; impaled men, women, and children; burned a church with forty people in it; and, in sheer fiendishness, put out the eyes of a

chrisom child as it lay in his arms. The monster feigned submission while he strengthened his castles, and called to his aid the wild Welsh, ever ready to abet rebellion and to maraud in England. Henry took the field in force, again calling on the English, and Bellesme's last stronghold fell. The Norman nobles, alarmed at the display of royal power, had essayed to mediate. But the English in the king's army shouted to him to press the siege. Bellesme, we mark, though hated, was not excommunicated by his caste, which, on the contrary, interposed in his favour, another comment on the superiority of Norman character. A little money sent the Welsh back to their hills, while Scotland, the other source of disturbance without, was kept quiet by the king's marriage. By fines, confiscation, and banishment the great houses of the conquest were brought to the ground, and they owed their overthrow in part to the arms of the conquered race.

Politically the land had peace. But the conflict presently recommenced between the crown and the church, Anselm, the greatest lover of peace and charity, being again destined to light the torch of discord. England was involved in the great European quarrel between the papacy and the lay powers on the subject of ecclesiastical investitures. Since his restoration Anselm had twice done the crown good service. At the time of Robert's invasion he had brought to Henry the support of the English, and he had set aside by his religious wisdom a casuistical objection raised against the king's marriage with Matilda, on the ground that she had once, to escape violence, put on the veil of a nun. But he had brought back with him from Italy the Hildebrandic doctrine about the profanity of lay investiture and of doing hom-

age to lay lords for ecclesiastical fiefs, for which the papacy was filling the German Empire with parricidal war. This was a new light that had dawned upon Anselm, for he had himself, when appointed to the archbishopric by Rufus, not only done homage to the king like a lay baron for the temporal fief, but received without any scruple, from the king's hand, the pastoral staff and ring. He now refused to do homage to the king for the estates of his see, or to consecrate bishops who received investiture at the king's hand. The king insisted on his claim, sustained as he was in regard to homage by the manifest right of the state, which could not have brooked the existence of a separate realm within its realm. In Henry Anselm did not encounter a second Rufus, furious and profane, but a cool-headed, decorous statesman, studious of appearance as well as tenacious of his aim, and one who, though the father of a crowd of bastards, was formally religious and a founder of religious houses. Henry, till his throne was firmly established, let the question sleep; then he pressed his claim. Anselm, as before, was meek, peace-loving, loyal, and always addressed the king, his temporal lord and spiritual son, in the language of respectful affection; but, as before, he adhered firmly to his principle. There was an appeal to Pope Paschal, who, of course, decided in favour of ecclesiastical independence and aggrandizement. Henry insisted on a second appeal. The Archbishop of York and two bishops on the king's part, two monks on the part of Anselm, argued the case once more before the pope, and once more Anselm's envoys brought back the pope's judgment in Anselm's, that is, in his own favour. The king's envoys protested that the pope had



given them a different decision by word of mouth, and it is not unlikely that the wily Italian had sought by cajoling them in private to temper the ire of a mighty king. In the great council which was held to settle the question, the king's spokesman contended that a scroll of parchment was not to be believed against the word of three prelates, and that the monks being by their vows dead to the world could not be heard in a worldly case; to which it was answered that the Gospel itself was a scroll and that the case was not worldly. The bishops as well as the lay barons were again with the king. Anselm, ever pacific, consented to a third reference, undertaking while it was pending to refrain from excommunicating bishops who had received lay investiture. Of this the king took advantage to treat his claim as conceded, to appoint to bishoprics his chancellor and an officer of his household, and invest them with the staff and ring. An attempt was made to trepan Anselm into consecrating these two men together with William, Bishop-elect of Winchester, who had received the staff and ring in the canonical manner. Anselm having refused, the Archbishop of York was ordered to officiate in his place; but the faithful William declined to be so consecrated, and the bishops, filled with confusion, as Eadmer says, at this rebuff, went, amid the execrations of the people, to lay their complaint before the king. William, standing firm against the storm of reproaches and menaces, was stripped of his goods and expelled the realm, Anselm seeking justice for him in vain. The king now made an opportunity of visiting Canterbury to try the effect of a personal interview on the archbishop, who had by this time received from Rome letters which he forbore to



publish, directing him to excommunicate his opponents. The king vowed that he would not for his kingdom give up the right which he had inherited from his predecessors. Anselm declared that he durst not for his life betray the principle which he had heard solemnly laid down in the council at Rome. Tears, Eadmer tells us, came into the eyes of those who were present at the thought of the evils which again impended over the church. The king had now nothing left for it but to get Anselm out of the kingdom; and he succeeded in persuading the aged primate to go in person to Rome. For Rome Anselm embarked, followed to the seaside, his biographer assures us, by a great multitude of people. The biographer of a saint militant is always anxious to show that the saint had the people on his side; and it is likely that, apart from reverence for the holy men or for the priesthood, the people would be on the side of resistance to a government which to them was one of iron, as well as half alien, while the clergy were in themselves a multitude, and had, as spiritual masters and confessors, the best means of agitation. At the papal court Anselm encountered William of Warelwast, who, having been the envoy of Rufus, now served Henry on a like mission. The arts of the tried diplomatist failed to avert the pope's decree. Mildness was studied in the form of proceeding against so powerful a culprit as the king of England by a pope, who had already the Emperor on his hands; but the custom of investiture was inflexibly condemned, and those who should conform to it were pronounced excommunicate. In vain, when Anselm had departed from Rome, William of Warelwast lingered behind on pretence of paying his vows to St. Nicholas. The pope was not to

be moved ; the question was vital to the ascendancy of the papacy and the priesthood.

On the return of his envoy the king seized the estates of the archbishopric into his hands, appointing, however, as Eadmer admits, friendly administrators, and gave notice to Anselm that he was banished from the realm. Anselm, for the second time, found a hospitable home with his friend the Archbishop of Lyons. In vain, hearing from England that in the absence of the chief shepherd wolves had broken into the fold, and that the church was full of disorder and distress, he plied the pope with entreaties to interpose effectively for his restoration. The pope, engaged in a death struggle with the Emperor, shrank from driving the king of England to extremity at the same time. He, however, excommunicated Robert De Mellent and the other advisers of the king. At last Anselm advanced to Normandy, resolved to excommunicate the king himself. Henry, in the midst of a struggle with his brother for the duchy, could ill afford at that moment to be held up to his adherents and his opponents as an excommunicated man, and to have the whole moral force of the church thrown into the scale of his enemy. The old Countess of Blois, Adela, sister of Henry, and a spiritual daughter of Anselm, brought about a meeting at which the king showed himself anxious for peace ; and after some further haggling and more references to Rome, a reconciliation was effected. Anselm returned to England and to his archbishopric amidst the jubilation of the clergy and the people, as well as to the great joy of the pious Queen Matilda, who had earnestly pleaded for his restoration, and preceded him wherever he went, heading the procession which was formed to meet him,

1107

and providing for his triumphant reception. The great question was compromised. On the part of the archbishop it was conceded that bishops and abbots should do homage as tenants of the crown for their fiefs to the king; on the part of the king that they should receive investiture as shepherds of the church with the ring and staff, not from their lay, but from their spiritual superior. The renunciation of the king bound all other lay patrons. It was a fair compromise according to the notions of the age. Those, however, who should know the interest of the clergy best, think that they gained little by the result. Anselm ruled his church in peace, holding his synods and pursuing his reforms till the age of seventy-six. Once more we are made to feel that if ever ecclesiastical privilege was a moral influence, and a curb on immoral power, it was in the person of this man, who, if his biographer has painted him aright, in all his struggles showed a Christian character, ever sought peace, never betrayed self-interest or ambition, never forgot, though he might misunderstand, his duty to his national king.

Anselm, after his restoration, held a reforming synod. It was held by the king's leave, and respect was thus paid to the custom of the realm. But its main object was to enforce the Hildebrandic rule of clerical celibacy, by which the clergy were cut off from home and from the commonwealth, to become the militia of Rome. The result showed that not only the domestic and civil character of the clergy but their morality was sacrificed to papal policy. Few of them were Anselms, and not being allowed wives, a good many of them kept concubines. Incontinence chuckled when the pope's legate, John of



Crema, after holding forth against it, was himself caught in a brothel. The presence of a legate as president of an English synod was itself a symptom of the progress of Rome, though he had not come without the consent of the king.

Still more did Rome gain by the extension of monasticism, which planted her spiritual garrisons in every land. Now came to England the Cistercian order, the great revival of asceticism and of the angelic life. The Cistercian angel, like other angels before him, presently folded his wings, and, the houses of his brotherhood having been built for eremite purposes on solitary downs and moors, became a sheep-farmer and wool-grower, pre-eminent in his line, and founded the chief commercial industry of the nation. Still the monasteries, though they might cease to be outposts of heaven, remained outposts of Rome. They were also in their way and in those wild times shelter for the gentler natures and for civilization. Their writing-rooms and libraries preserved books and learning, though that which was valuable might bear a small proportion to that which was not. Their chronicles, almost the only annals, kept up the historical consciousness of the nation. Church art and music, even mechanics, owed them gratitude. It was probably for the advancement of civilization in part, as well as for the good of his own soul, that Henry founded monasteries, among them the great Abbey of Reading. Whatever quickens intellect generally will help to make politics intellectual and to render political struggles less conflicts of force and more of thought.

The monarchy is still the power not only of order but of progress, and to the mass of the people the source of



justice, it may almost be said of liberty, since it comes between them and the local oppressor. Henry, as he had promised, made good peace, continued to hold down his feudatories with a firm hand, forbade their private wars, demolished the castles which they had built without royal license. To the aristocracy of the conquest he preferred men raised by himself who formed a new nobility more attached and faithful to the crown. If he preferred natives of Normandy to natives, whatever their origin, of England, it was probably not in respect of race, but because he found himself better served by the strangers. Churchmen commended themselves to him as ministers by their superior education, by their entire dependence on their master, and by the cheapness of their service, since they could be paid by ecclesiastical preferment at the expense of the church.

Against his aristocratic enemies Henry provided himself with spies, not unneeded if it is true that he had traitors at his board and narrowly escaped an arrow shot by an unknown hand. He was always moving over the country, chiefly, perhaps, to maintain his household by consuming on the spot the fruits of his various demesne lands, yet with the effect of making his personal government felt, which without central machinery or a post it could not otherwise have been. His punishments were sweeping and ruthless, but they fell on the few, while the many enjoyed security and were grateful. His exactions, the people thought, were grievous, but they were regular and not so bad as baronial pillage. To levy fines on priests who kept concubines was not very royal finance; but about the sources of their revenue none of these kings were nice. Henry rendered

commerce and industry a great service by maintaining, as he had promised, the purity of the coin. Coiners he ruthlessly punished. If he did not so well fulfil his promise not to keep bishoprics or abbeys vacant, he might plead that the ecclesiastical fief paid no reliefs, afforded no wardships or marriages, could never be forfeited, and was bound in some way to contribute to the necessities of the crown. The comparative blessings of the Lion's rule will be seen by contrast with what follows.

The monarchy assumes a more regular form and develops its machinery of administration. The standing council, or Curia Regis, unfolds its administrative and fiscal organs. This is due to the constructive genius of Roger, Bishop of Salisbury, the justiciar. Roger, it was said, had first commended himself to the king by the speed with which he said mass. Taken into the royal service he became the statesman of the day and organized the Exchequer, at once a ministry of finance and a court of fiscal justice. The name was derived from the chequered covering of the table at which the barons of the Exchequer sat. The Exchequer, as well as the Curia Regis, was composed of barons, and the justiciar presided over both. The judicial power remained in the Curia Regis. A further step in the regular organization of the monarchy was the despatch from time to time of royal commissioners over the realm, both for fiscal purposes and for those of justice, an institution which will ripen hereafter under another great king. Roger of Salisbury founded an administrative house. His nephew Nigel was treasurer, his bastard son Roger was chancellor, and they preserved his official system.

Under a strong and peaceful government, trade spread its sail, the less timidly as both sides of the Channel were in Henry's hands. The germs of industry were fostered, the life of the towns grew.

By the treaty between the brothers Henry and Robert, Normandy had been happily severed from England. Unhappily they were united again. Normandy, under the misrule of the losel Robert, fell into feudal anarchy. Normans who wished for the restoration of order stretched their hands to Henry; especially did the clergy, who needed order most, and with whom Henry, in spite of his quarrel with Anselm and his numerous bastards, had preserved his religious reputation. Moreover, the connection between the Norman nobles in the two countries still subsisting, in Normandy gathered the feudal storms which broke over England. There Bellesme had found a new lair. Henry came and  
1106 conquered. At the battle of Tinchebrai, Hastings was avenged in the overthrow of a Norman army by an army which came from England and was partly English. The continental province gained, but the island kingdom must have lost by the division of the king's energies and care. Robert fell into his brother's hands, and the great crusader wore out the rest of his life in confinement. Not even the pope's intercession could open his prison door. That he was living in the utmost comfort his brother unctuously assured the world. The relation of England and Normandy as the conquering and the conquered country was now reversed, and the king of England was mighty among kings.

To bequeath his greatness to his one legitimate son, William, was Henry's care. All know the story of the



White Ship, how she went down at the Caterage with the heir on board, and how, no one daring to tell the king, a page, throwing himself at Henry's feet, mutely broke the news, after which, as the story was, Henry never smiled again. The web of policy had to be woven once more in favour of the king's one daughter, Matilda, the widow of the Emperor Henry V., remarried, little to her imperial liking, to the Count of Anjou. No woman had yet reigned; no woman could perform the duties of a Norman king. Legitimacy and the idea of a proprietary right to the crown had been gaining on the principle of election; but they had not yet got so far as this. The Lion might have known that oaths sworn in his dread presence to a female succession would be unsworn when he was gone.

#### STEPHEN

BORN 1094; SUCCEEDED 1135; DIED 1154

Accordingly, when a surfeit of lampreys had rather ingloriously sent the great king to a tomb in the grand abbey of his foundation, the barons under casuistical forms furnished by the bishops broke faith with the dead. Setting Matilda aside, they gave the crown to Stephen, Count of Blois, who put it on with the usual promises of good government and redress of all grievances. He was the favourite of the baronage; he was supported by his brother, Henry, Bishop of Winchester and papal legate, the political head of the English church; London, now growing populous and powerful, acclaimed the choice. Stephen was a gallant knight and a popular man; but as a ruler he was weak. At his accession he had allowed his brother the legate to draw



him into too grateful a recognition of the support of the church, and even of the sinister approval of his election by the pope. To win popularity he lavishly created earldoms, which it had been the policy of the Conqueror to grant no more, and squandered everything else he had to give. At first he showed vigour in dealing with baronial turbulence, but presently the reins which it had tasked the force of the Conqueror and of Henry to hold began to slip from his hands. His nineteen years have been divided into three periods, miserable in different degrees ; the first of dissolution ; the second of civil war ; the third of exhaustion and comparative peace. In the first there are local revolts. Tempted probably by English troubles, 1136 the king of Scots invades England with a motley host of savages, drawn from the different races of his realm, who commit their usual atrocities ; but he is met and defeated by the Normans combined with Englishmen led from each parish by their priests under the consecrated standards of local English saints.

Stephen brought on the crash by attacking the church, which in this case at least was not identical with religion. Roger, Bishop of Salisbury, the great statesman of the late reign and founder of the Exchequer, in serving the realm had also provided well for himself and for his own. He and his two nephews, Alexander, Bishop of Lincoln, and Nigel, Bishop of Ely, had amassed great treasures and built castles, the wonder of the age, where they kept a large retinue of soldiers. Having reason, it seems, to suspect that they were intriguing against him with Matilda and in favour of her son, the grandson of their patron, Stephen by a sudden onslaught seized upon two 1138 of them and compelled all three to surrender to him their

castles and their treasures. Castles and garrisons were hardly spiritual, but they were ecclesiastical, and at this outrage on the sacred order the church was in a flame. The papal legate, Henry of Winchester, turned against his brother. The king appears to have been so far forgetful of his dignity as, when arraigned, to appear by deputy before a synod and undergo its sentence. His self-abasement availed him little.

Matilda now landed in England with her bastard half-brother, Robert of Gloucester, an able leader, at her side. Then followed nine years of what can hardly be dignified with the name of civil or dynastic war. Government ceased to exist; baronial anarchy broke loose. The country was covered with castles built by robber barons, who forced the wretched people to work on them and filled them with Flemish, Breton, and Welsh mercenaries, justly, no doubt, designated by the English chronicler as devils. In these dens, if the chronicler speaks truth, those who had anything of which they could be robbed were imprisoned and tortured. They were hung up by their feet in the smoke of a fire, suspended by their thumbs while a fire was applied to their feet, thrust into dungeons full of snakes and toads, crushed in chests full of sharp stones. Tight cords were twisted round their heads, sharp collars were fastened about their necks so that they could neither sit nor lie. Many were starved to death. One brigand exposed his prisoners, smeared with honey, to the stings of insects. The husbandman fled the fields, the people died of hunger, towns were deserted on the approach of the man-at-arms. Nottingham was burned to the ground and the people carried off captive. The Monk of Worcester has described to us

1139

1140,  
1153

1149 the sacking of his town by a party from Gloucester ; the alarm at the enemy's approach ; the prayers offered to the patron saints ; the goods of the citizens hastily carried into the church, which is crowded with chests and sacks, so that there is scarcely room for the priests ; the chants of the choir mingled with the cries of infants ; the high altar stripped of its ornaments, the crucifix, the image of Mary taken away ; the rich garments of the priests hidden lest they should be seized by the spoilers ; the arrival of the enemy with horse and foot ; the priests in their albs bearing forth in suppliant procession, while the bells toll, the relics of the patron saint ; the struggle, the storming, the pillage, and the burning ; the people driven off into captivity, coupled together like hounds, on a bitter winter's day ; then the infliction of the same horrors on Gloucester in its turn. The need of a king and of the king's peace is shown in a lurid light. Once more we are called upon to do homage to the Norman genius for political organization.

Meantime the two parties carried on a chaotic and indecisive war. At last Stephen was defeated in a battle  
1141 at Lincoln and taken prisoner. Matilda entered London in triumph ; but her imperial haughtiness turned the scale against her ; and the citizens, rising at the sound of their tocsin, expelled her from the city. Their fidelity to the cause of their king, and the spirit which they showed in the expulsion of Matilda, somewhat redeem the scene. Now the balance of war turns again in favour of the royalists ; Robert of Gloucester is taken prisoner ;  
1141 Stephen is set free. Henry of Winchester, the ecclesiastical kingmaker, comes over again to his brother's side. At last exhaustion, coupled with the mediation of the



church in the person of Theobald Archbishop of Canterbury brings peace. The death of Eustace, Stephen's son, 1153 opens the way for a treaty giving the crown to Stephen for his life, and after his death to Henry, the son of Matilda. The principle of election is once more set aside by a dynastic treaty.

It is remarkable that, as we are told, no period was more prolific than the reign of Stephen in monastic and religious foundations. The church alone amidst the chaos seems to have remained something like a power of order. Remorse, perhaps, occasionally followed crime, and by the endowment of religious houses gave back to what was then civilization some portion of the fruits of rapine.



## CHAPTER IV

### HENRY II

BORN 1133; SUCCEEDED 1154; DIED 1189

**A**FTER the anarchy of Stephen the land groaned for a strong rule. But in Henry II., surnamed Plantagenet, and founder of that line, we welcome a power not only of order, but of progress. Nothing marks the change of institutions more clearly than the contrast between him and our kings who reign and do not govern. This child of destiny was but twenty-one. He was strongly built, and, we are told, of royal aspect, although, it seems, of rather a coarse mould, with a reddish complexion, and a large bullet head; grey eyes, bloodshot, which flashed with anger; a fiery countenance, a tremulous voice, a neck a little bent forward, and muscular arms. So a contemporary paints him. His tendency to corpulence was kept down by spare diet and constant exercise. His activity was preternatural and wore out his attendants. It made him ubiquitous, and ubiquity, in an age before centralized government, was a good quality in a king. His hasty meal over, he was at once on foot again. He could not help talking about business even during Mass. Hunting was his rest from serious affairs and war. Next to the chase he loved books, for he had been well

educated, and his memory was strong. His energy and capacity as a ruler are felt at this hour. But out of him, as out of the other men of his time, the savage had not yet been worked. He was liable to fits of rage, in which his eyes became bloodshot and his tongue raved, in which he flung himself on the floor and bit the rushes with which it was strewn; in which he could commit acts of cruelty, such as mutilating a score of hostages. Nor was he free from the cunning of a savage. Among his ancestresses of the line of Anjou there was supposed to have been a fiend.

He had good use for his omnipresent activity. By birth, treaty, or marriage, Henry was lord not only of England, with the subsequent addition of Ireland, but of Normandy, Maine, Anjou, Aquitaine, and presently of Brittany. His realm extended from the Cheviots to the Pyrenees. He was a greater power in France than the king of France himself, though by the strange usage of feudalism he was there the French king's vassal. He was lord in fact of an Angevin empire, the seat of which, if it had one, was Chinon, and its mausoleum Fontevraud. His influence in Europe was almost paramount. But in England only was he the king. Only on England has he left his mark. He would perhaps have left on her too deep a mark had his energetic love of power been brought to bear on her alone.

Henry's first care was to raze the illicit castles and rid 1155  
the country of mercenary bands. Many of the castles were probably little more than stockades. Some were strong and sustained sieges which Henry conducted in person. The work on the whole seems to have been done with surprising ease, considering that at this time,

to the advantage of feudal mutiny, the defence was superior to the attack, so that a siege became commonly a blockade. Some wild spirits may have been taken off by the crusades. Having reduced the last strongholds of anarchy, seen the back of the last of the robber bands, and resumed the estates of the crown, which the weakness of Stephen had given away, Henry, now master of his realm, entered on a course of reform and organization. He took his grandfather for his model and outstripped him. For the policy of making a national monarchy supreme over the baronage he had a clearer field than Henry I. After the series of suppressed rebellions under the first three kings and the civil war under Stephen little of the aristocracy of the conquest was left. Little or nothing was now left even of the distinction between the races. They were being rapidly blended by intermarriage. Presentment of Englishry in cases of murder had become a dead letter, or a mere pretext for levying on the district one of the fines which formed no small source of the royal revenue. If Norman-French was still spoken by the ruling class while English was spoken by the people, this was more a matter of rank and fashion than of race. Many must have spoken both languages, while the neutral Latin was the language of the church, law, and the state.

1181 What the razings of baronial castles and the expulsions of baronial mercenaries had begun was carried forward by the military policy of the king. His Assize, or edict, of Arms, reorganizing the old fyrd, or national militia, and bidding every freeman provide himself with a coat of mail, helmet, shield, and lance, placed at his disposal a force independent of feudal tenure or com-



mand. Availing himself of the unwillingness of the barons, now settled in their English homes, to serve on an expedition to Toulouse, he introduced the payment of scutage, or shield money, in place of the feudal service, thus lowering the military spirit of the barons at the same time that he gained the means of taking into his pay regular soldiers, Bretons or Flemings, whose only law was that of the camp, and who served without limit of time. The plan of service by delegation, three knights clubbing to send one, which was also introduced by Henry, would tend in the same direction. Only once, however, and at a mortal crisis, did the king bring his mercenaries to England. 1159

The administrative system of Henry I., which had been wrecked by the civil war, was restored and improved. Nigel, Bishop of Ely, nephew of Roger, Bishop of Salisbury, the great minister of Henry I., became treasurer of the exchequer, which office passed from him to his son Richard, Bishop of London, who wrote a famous treatise on the organization and work of the department. Centralization, depression of the feudal aristocracy, and government through the devoted servants of the crown, are leading features of the policy. The justiciars, however, of this reign, regents during the king's long absences, are not churchmen like Flambard or Roger of Salisbury, but laymen, Ranulph De Glanville and Richard De Lucy. A life of faithful service had earned for De Lucy the name of "the loyal" when he went into a monastery of his own founding to give his remaining days to God. Not all the servants of the crown were loyal like De Lucy. In those days, as now in Turkey and in Russia, official corruption was almost a



matter of course ; and in passing judgment on the policy of a king we must bear in mind not only the character of the matter with which he had to deal, but that of the instruments with which he had to work.

To carry royal justice through the realm and maintain the king's peace as well as to enforce the proprietary rights and fiscal dues of the crown, Henry I. had occasionally sent out itinerant justices, the barons of his court, like the Missi of Charlemagne, over the realm. His grandson made the institution regular and permanent. When the royal justices went their rounds, the shires were required to present to them the local offenders with the evidence of the crime. Local delegates, twelve in number, presented on their own sworn evidence. This was the first stage. When the jury were ill informed of the facts, further evidence was called in. Those who gave it became in the end the witnesses, the original jury of presentment becoming judges of the fact upon the evidence of the witnesses, while the royal judge laid down the law. Such is the historical origin of trial by jury, the mythical origin of which is depicted in the frescoes of the House of Commons. The steps by which the institution reached its perfect form the legal antiquary must explain. Traces of its original character may be found in the grand jury which still presents prisoners for trial, and perhaps in the coercion which was long applied under arbitrary kings to jurymen who failed to find verdicts for the crown, as if they had still been responsible presenters of the fact.

The political importance of an institution which places personal liberties under the shield of a popular court was hardly less than its judicial importance. In spite of

grave imperfections and notwithstanding tyrannical interference, it long made England an oasis of public justice in a Europe of dark and arbitrary tribunals. Jury trial was necessarily open, and it precluded the use of the rack, which was never legal in England, though privily introduced by usurping power. It also played no unimportant part in the political education of the people. Its germs were in all the rude popular tribunals of primitive times. But it took form under the first Plantagenet. It has now gone the round of the civilized world.

By the circulation of royal justice that of the feudal manor court and of the shire and hundred courts under the local influence of feudal lords was thrown into the shade, while the shire and the hundred were brought into closer and more active union with the crown.

Legislation, in the proper sense of the term, there has hardly yet been. The custom of the realm has been declared by the general council of barons in such a case as that of Anselm. Otherwise there have been only edicts of the king. For redress of grievances the people have looked, not to remedial legislation, but to the charter put forth by the king at his accession. By royal favour, not by legislative enactment, franchises have been granted. But it is difficult to distinguish the constitutions and assizes framed by Henry II. with the advice of the general council from declaratory acts of parliament or statutes. The king apparently listens to the advice of the council and relies on its support. So far there is progress towards a constitution.

The Assize of Clarendon regulating criminal law and procedure is a landmark in legal history. The ordeal was an appeal to heaven by man's primitive incapacity

for weighing evidence. The day for its abolition was not yet come, though the church, to her credit, condemned it. But by the assize of Clarendon its operation is restricted, and the man who has passed it, if otherwise convict, is compelled to abjure the realm. By another assize in cases of title to estate or advowsons option is given of a rational trial by sworn recognition in place of wager of battle. The judicial combat was retained in cases of honour or chivalry, as they were called, and in cases of treason. An islet on the Thames near Reading formed  
1163 the lists in which Henry of Essex, constable and standard-bearer, accused of betraying the standard of the king in the Welsh war, met his accuser, Robert De Montfort, in judicial combat, and, being vanquished, found shelter in the neighbouring abbey, where he assumed the cowl.

The creation of earldoms, territorial commands with a local revenue attached, discountenanced by the prudence of William, renewed on a large scale, by the lavishness of Stephen, had once more ceased, and earls had become rare. The chief local offices, financial, administrative, and military, were now the shrievalties, which were probably in the hands of the great local feudatories, with a tendency to hereditary succession. This stronghold of feudalism also the royal reformer invaded. Twenty sheriffs were dismissed at once, ostensibly for malversation. Of malversation as well as of extortion, it is likely enough that in those rude and predatory times they were guilty. But the king's chief motive probably was his desire of transferring the government of the shire from the local feudatory to more trustworthy and controllable hands. The necessity of perfecting the official organiza-



tion would be enhanced by the long absences of Henry from England.

Hitherto custom, tribal or feudal, has reigned. Now the spirit of law is abroad, and the science of jurisprudence is born again. Roman law is once more studied, and by its scientific method takes hold of the higher minds. It gives birth to a profession, and opens to those learned in it a career of wealth and power. It forms the model for those who are building up the canon law of the church, which again is emulated by the civil jurist. A teacher of it had appeared in England under Stephen, but had been silenced by political jealousy or by fear of ecclesiastical encroachment. The feudal lawyers, however, though they would not allow their customs to be ousted by Roman principles, bowed to the scientific method of the Roman law, and helped themselves freely to its philosophic store. In the treatise ascribed to Ranulph De Glanville, a justiciar of Henry II., an attempt is made to give something like Roman regularity to the rude heap of feudal or national customs. The author is the patriarch of the common law.

The epoch is memorable in which, from the will of a king whose power has no limit but revolt, and whose very excellence is dangerous to freedom, a community passes under the reign of law. The study of law, at once practical and philosophic, stimulates intellect, and the profession which is formed, however liable to pedantry and chicane, is on the whole a guardian of right, both public and private, under a free government; while even such a despotism as that of the Tudors or the Bourbons is in some measure limited and tempered by the authority of written law.



The same tendency to substitute national for feudal machinery which appears in government under Henry's reign appears also in finance. A regular land-tax, afterwards called carucage, is imposed in place of the obsolete danegelt. Scutage is in effect a substitution of taxation for service. Henry, however, no doubt like other kings in those days, took all that he could get; imposts, old or new, regular or irregular, including fines and compositions for offences real or factitious, sale of royal favours, of offices in church and state, of heiresses in marriage, of the custody of the estates of royal wards. The people groaned, as they always groaned under taxation, and the louder, the more regular the taxation was. The necessities of government they could not see. There was in those days no budget, no understanding between government and people as to the need of supply, or as to the purposes to which the supply was to be devoted. A very odious source of royal revenue was the Jewry, practising usury under the king's protection and paying to him a large part of its gains, which was now organized as a regular department of finance.

The English, no doubt, had to pay for their king's wars in France. On the other hand, they had the benefit of trade with his French dominions as well as with Germany, whose friendship his diplomacy secured. The whole western coast of France, with the arteries of trade, was in his hands. Putting down the license of private coinage, he gave commerce the sound currency which is her life. Special privileges were granted to the merchants of Cologne. Wealth increased with law and order; towns, with town life and its political influences, grew.

From the repression of lay crime the king turned to

repression of crime among the clergy, and at the same time to the rectification of the boundary line between the ecclesiastical and the civil jurisdiction. William the Conqueror, while he sternly repelled papal encroachment, had so far complied with high church principle as to divide the ecclesiastical jurisdiction from the civil. Ecclesiastical tribunals were usurping suits really civil, such as those relating to property, wherever, as in cases of marriage and legitimacy, the church could pretend to a voice, and to advowsons; while behind them were creeping onwards, to the subversion of royal authority and of national independence, the appellate jurisdiction and the autocracy of the Holy See. There was, in fact, no assignable limit to the pretensions of the church or of the pope as its absolute head. Man cannot be divided into soul and body. He who is master of the soul is master of man, and he who holds the keys of heaven and can cut off from eternal life is master of the soul. The conflict between the ecclesiastical and the lay power in the middle ages was irrepressible and internecine.

The discipline of the church was lax. Secularism, nepotism, simony, pluralism, and sinecurism prevailed, if we may trust the satire of the age, to a scandalous extent. Rich church preferment was given to boys. Bishops were courtiers or fighting barons, and were not ashamed of having bastard children. Under Stephen we have seen bishops closing the gates of their castles against the crown. The salt of monasticism had lost its savour. Concubinage was common among the clergy and could not fail to deprave. The minor orders swarmed with vagabonds who had nothing clerical about them but the tonsure, and among whom murder and robbery were rife.

Yet the tonsure protected from justice. The ecclesiastical courts claimed the criminal, who was still, according to clerical theory, a part of the soul of the world, not to be punished by the profane arm of flesh; while penalties which the ecclesiastical courts under canon law could inflict, or would probably wish to inflict, were inadequate to the suppression of crime. It was reported to the king by his justiciars that in the nine years of his reign more than a hundred murders, together with a number of robberies and other offences, had been committed by clerks whom the lay jurisdiction could not reach. In the last reign an archdeacon had administered poison to his archbishop in the eucharistic cup and as a churchman had escaped justice. Even among the hierarchy not secularism only but violence prevailed. Soon after this the chronic struggle between the archbishops of Canterbury and York about precedence leads to an affray in a church council in which the Archbishop of York is sorely mauled by the monks attendant on his rival.

With a contested case before him, the king moved. But here he came into conflict with the spirit of the age. Hildebrandic principles of church privilege and supremacy had been gaining ground. They were steadily pushed forward by a power unswerving in its aim, raised by its self-created divinity above scruple in the choice of its means, and supported by the corporate spirit of a powerful order working in its interest through all nations. They found support in the False Decretals, making the papacy the supreme and universal court of appeal, and in the development of the canon law. Henry IV. of Germany had been humbled by Hildebrand; Barbarossa was about to be humbled by Pope Alexander III. The



crusades had put the pope at the head of the armies of Christendom. They had filled the world with religious enthusiasm and kindled a wild passion for martyrdom. During the anarchy under Stephen the church in England, keeping her organization, had advanced her power. Under Henry a memorable champion of church privilege arose in the person of Thomas Becket.

We have to gather the history of this canonized champion and martyr of clerical privilege chiefly from panegyric biographers, who make heaven announce his birth through prophetic dreams; who ascribe to him, living and dead, miracles countless and portentous; and in whose eyes veracity, if it took from the honour of the saint, would have been sin. He was the son of a London citizen of Norman name and race. He was well educated, and at Bologna studied papalizing law. Received into the ecclesiastical and high-church household of Theobald; Archbishop of Canterbury, he, by his brilliant gifts, handsome person, and engaging manners made his way, rose in his master's favour, was employed in important business, bore a part in the negotiations which, by preventing the recognition of Eustace, secured to Henry the succession of the crown, and in connection with that affair was sent to Rome, where he no doubt imbibed Roman ideas. To qualify himself for preferment he took deacons' orders, and preferment was showered on him. He was invested with the archdeaconry of Canterbury, the best thing after the bishoprics, with the provostship of Beverley, and with several prebends or benefices besides. From the service of the archbishop he passed to that of the king and was made chancellor or secretary of state, an office which, though then not the highest, brought him close to the



king's person. He became Henry's most trusted counsellor, bosom friend, and boon companion. He is credited with the king's policy, but this remained the same after their rupture and was a bequest from Henry I. As chancellor he handled large sums of money, including the revenues of all vacant sees, abbeys, and benefices in the gift of the crown. His style of living was most sumptuous, his hospitality was profuse, his establishment was  
1158 magnificent. As ambassador he entered Paris with a parade resembling and surpassing a modern Lord Mayor's show, and scattered money among the Parisians with both hands. He served the king not only in council but in war, slaying, ravaging, and burning, as his biographers complacently tell us, without mercy. When Henry scrupled to attack the person of his suzerain the French king, Becket scrupled not. All this time he was holding his archdeaconry and his other ecclesiastical preferments, so that of secularism, pluralism, and sinecurism he was a palmary example. His biographers aver, and would in any case have averred, that amidst all his luxury the saint kept his purity unstained. Becket as chancellor seems to have pushed, if he did not devise, a scheme for taxing the clergy, which caused the high churchmen to say that he had plunged a sword into the bowels of his mother. Here apparently was the man who, if placed at the head of the church, would help the king to put limits to ecclesiastical jurisdiction and bring clerical crime under the sword of justice. When, by the death of Theobald, the archbishopric of Canterbury fell vacant, the king announced to Becket his intention of making  
1162 him archbishop. Becket said afterwards that he warned the king; he did not undeceive him; and he must have

known that by his previous conduct his master had been misled. He accepted the appointment, however, and was thrust by the lay power on the electors, who might well be scandalized at the promotion of so notorious a worldling to the headship of the English church.

Character does not suddenly change in middle age, but aims sometimes do. Becket would now be the English Hildebrand, the head of a realm within the realm, wielding a power independent of national law and above that of the temporal ruler. He threw up the secular office of chancellor. We are told that he changed his life, practised asceticism, wore a hair shirt till it swarmed with vermin, every day washed the feet of twelve poor men, and was profuse in his almsgiving. He kept up great outward state and pomp; but this was a proof of his humility, as he thus veiled his austerities from the eyes of men. That he set himself to reform the church his biographers assure us; but to two great abuses, pluralism and sinecurism, he was bound to be kind, since he had not only himself been one of the greatest of pluralists and sinecurists before his appointment to the archbishopric, but after his appointment had continued with his archbishopric to hold the rich archdeaconry of Canterbury.

Suits arose about fiefs and advowsons claimed for Becket's see. These he proceeded to treat as matters of ecclesiastical jurisdiction and to decide in his own favour. In the course of one of them he broke a law of the realm 1163 by excommunicating without notice to the king a tenant-in-chief of the crown. Nor was it long before he came into collision with the king himself on a fiscal question. Here he gets the credit of having anticipated Hampden in 1163 patriotic resistance to taxation, though it does not appear

that he was resisting taxation of any but church lands, or on grounds broader than that of church privilege. High words passed, and Becket showed that he felt little reverence for the king. He assumes towards the king henceforth the airs of a spiritual father, which in one who had so lately been Henry's boon companion must have been difficult to bear.

When Henry disclosed his design of curbing the ecclesiastical courts, and bringing clerical crime within the grasp of the law, war between him and the primate broke out. After some preliminary fencing, in the course of which Becket seems to have professed his willingness to submit, saving his order, that is, saving all the pretensions of the clergy and the pope, a pitched battle between the two theories was fought before the council of barons and prelates at Clarendon. Sixteen constitutions, declaring the relations between church and state as to matters of jurisdiction, were there promulgated on the part of the king. They formed, in effect, a declaratory act of the great council, setting forth the established custom of the realm as found by the council or by those who dictated its finding. Clerks accused of crime were to be arraigned first in the king's court, which might at its discretion send them to an ecclesiastical court. If convicted in the ecclesiastical court and degraded, the clerk was to lose his benefit of clergy, and become amenable to lay justice. No prelate or other ecclesiastic was to leave the realm without the king's license, or without giving security that he would attempt nothing against the king or kingdom, an enactment the object of which was evidently to restrict resort to Rome. Appeals were to be carried from the archdeacon to the bishop, from the bishop to the



archbishop, and in the last resort to the king in the archbishop's court, but never to the pope without the consent of the king. Without the leave of the king sentence of excommunication was not to be pronounced against any tenant-in-chief of the crown. Archbishops and bishops were to hold their estates as fiefs, subject to the feudal obligations. They were to be elected in the king's chapel, with the assent of the king and his council. Cases of church property and advowsons were to be tried in the civil courts. The right of sanctuary was not to protect goods forfeited to the crown. Protection was given to laymen against stretches of power on the part of the ecclesiastical courts. Serfs were not to be ordained without the consent of their lords. All the articles but the last seem to have been agreeable to the manifesto of the Conqueror and the custom of the realm, as well as to reason and the first principles of jurisprudence. William had with his own hand arrested the Bishop of Bayeux for breach of secular fealty. In his reign the suit for church property relating to the see of Canterbury between Archbishop Lanfranc and Odo of Bayeux had been tried by a county court on Pennenden Heath. The restrictions on papal interference were, in effect, those which the Conqueror had imposed. Fancy has pitched on the article forbidding the ordination of serfs without the consent of the lords, and Becket, for resisting that enactment, has been held up as the tribune of an oppressed people and a subject race. There is nothing of this in the biographies or in the voluminous correspondence of Becket and his friends. When the constitutions were laid before the pope he divided them into two sets, the tolerable and the intolerable, and the article respecting



the ordination of serfs was in the tolerable set. That ordination did open a door to the serf is true; let the church have full credit for it. But the constitution was not intended to close that door; it was intended simply to guard the property of the lay lord. The church preached emancipation as a good deed; yet she held serfs herself, though probably in mild bondage, to the last. It seems also that she restrained her own serfs from ordination. The decision of the pope respecting this constitution is fatal to the existence of anything like a definite intention on her part to make her orders the means of elevation for the serf. Nothing that in reality was God's was taken from God by any of the constitutions.

From the policy of the king, thus formally presented, Becket at once recoiled. The question whether it was good for the church of Christ to harbour crime seems not to have presented itself to his mind. The church's privilege was to be upheld. Should the hands which made God be bound, asks a follower of Becket, like those of a mere layman, behind the priestly back? The hands of the minor orders, in which crime chiefly prevailed, did not make God. The bishops, nominees of the crown, good worldly men, besought the primate to give way and avert the wrath of the king. Some Templars, whose order was now at the zenith of its reputation, added their entreaties. Becket at last yielded, swore, and permitted the bishops to swear, to the constitutions; but vowed that he would not seal. Afterwards, for having sworn, he put himself to penance, and suspended himself from the service of the altar till he should be absolved by the pope. In the sequel he advised the bishops that the oath

which they had taken, being sinful, was null and void. It was not easy to make terms with such a power.

The council met again at Northampton, whither Becket 1164 came with a great train. The king's savage temper now broke out, and he put himself in the wrong. He had summoned the archbishop in a contumelious manner through the sheriff, instead of summoning him personally, like other magnates. He now tried to crush him by getting the council to condemn him for contempt of the king's court in a lawsuit. Then he charged him with malversation. Becket had no doubt, as chancellor, spent great sums in splendid living as well as in his gorgeous embassy, but his accounts had been passed; at all events, the charge was barred by time and the subsequent conduct of the king. A stormy scene ensued. Barons and bishops, though on the king's side, shrank from the extremity of condemning their primate, and each order tried to shift the task upon the other. Becket's soul rose up in defiance. After celebrating the mass of the proto-martyr Stephen, with its threatening Introit *Etenim Sederunt Principes*, he entered the assembly, uplifting his cross in his own hands as a standard of spiritual war. In the debate, or rather altercation, which ensued, he thundered high-church doctrine in its extreme form, protesting that he owed for none of his possessions service to any earthly lord, and warning the earl who, on a civil charge, was about to pronounce the sentence of the assembly, against condemning his father. At last he left the hall amidst a volley of insults, which, the soldier rising within him, he returned in kind. By the common people, his panegyrists say, he was received with enthusiasm; but they admit that not only the lay members of his house-

hold, his knights and noble pages, but forty clerks who had basked in the summer sunshine of his prosperity, now  
1164 left him like swallows at the coming of winter. He withdrew by stealth, not having the king's leave, from the realm, passed over to France, and there, unlike Anselm in all things, presently threw himself into the arms of his sovereign's antagonist, Louis, who welcomed an instrument of mischief, and provided him with a guard of honour. To clear himself of the taint of lay nomination, he afterwards surrendered his archbishopric to the pope, and received it back from the pope's hand, committing therein something like an act of treason. On his departure from the kingdom without the royal permission, which was a breach of allegiance, his estates were sequestrated by the king.

The principles proclaimed by Becket at Northampton amounted to nothing less than the subjection of the state to the church, and the exemption of an immensely wealthy and powerful order, an order whose wealth and power were growing always and without limit, from the law. If the champion of such principles was able by his hold on the superstition of the age and his sacramental thaumaturgy to convulse society, and thus compel the submission of the government, the government could deal with him only in one of two ways, by throwing itself at his feet or by taking him by the throat.

Then followed six years of tangled controversy, Becket appealing to the pope to launch the papal thunderbolt against the king, identifying himself with Christ and his opponents with Satan, storming not only against the king and his other English enemies, but against the weakness, perfidy, and venality of Rome, who, if half of what he



says is true, must have been a strange mother of Christendom; the pope, who was an Italian statesman and, being hard pressed by an anti-pope with the Emperor at his back, feared to make the king of England his enemy, temporizing and vacillating; the king and the bishops who took his part appealing, trying the arts of diplomacy, and not only of diplomacy, but of bribery, to which, it was held by both sides, Rome was open. Fresh fuel is heaped upon the flames when the king, having determined to get his eldest son Henry crowned in his own lifetime, the Archbishop of Canterbury being in exile, has the ceremony performed by the Archbishop of York. This was taking from the primate a part, perhaps regarded by him as more than honorary, in the election of the king, and Becket's wrath blazed out anew. The king's cause is pleaded by Gilbert Foliot, Bishop of London, whose austere virtue and famed learning add, in the minds of Becket's admirers, piquancy to his inevitable damnation as an opponent of the church's champion and favourite. Becket strives to put heaven on his side by increased asceticism; wears not only a hair shirt but hair drawers, both swarming with vermin, multiplies the flagellations which he had commenced from the time of his conversion to the rate of five a day. So his hagiographers assure us, although the Abbot of Pontigny playfully tells him that one who loved wine as he did could hardly be a martyr. Already, according to his biographers, he performs miracles. A fish leaps into his bosom to provide food for the fast-day; a maggot which drops from his sleeve while he sits beside the queen of France is turned into a pearl. Betaking himself to the shrine of Vézelay, after prayer to St. Drausius, who gave

1170



victory in duels, he mounts the pulpit, and with the awful forms of the Roman ritual launches curses against his enemies, including De Lucy the Loyal, who had really acted towards him as a friend. The king shows himself not wanting in the temper which belonged to the Angevin stock. He banishes Becket's kindred to put pressure by their destitution on the archbishop; he compels the Cistercians by threats of sequestration to expel Becket from their House of Pontigny. The French king, from enmity to his English rival, countenances Becket and Becket's principles, showing the advantage which, in the conflict between church and state, the church had in her unity, while her antagonists were divided and she could play one of them against another. At last all parties are worn out; Henry yields; Becket is restored to his see and to the possessions which, upon his unlicensed departure from the realm, had been seized into the king's hands. He comes to England, but instead of peace brings with him a renewal of war; launches sentence of excommunication against the Archbishop of York and two other bishops who had offended him; moves about the country stirring up the people. On Christmas Day he mounts the pulpit, and, taking "Peace on earth" as his text, again pours out curses on his enemies, the De Brocs, who as receivers of his estates during sequestration had wasted his property and had since cut off his horse's tail, with others who had offended him, concluding by dashing a candle on the ground in token of their extinction. The king, who is in France, hearing all this, lets fall a hasty word. Fired by it, four of his knights cross to England; force themselves into the chamber where the archbishop after dinner is conversing with the

monks of his chapter; engage in a fierce altercation with him; return armed as he is going to vespers in the cathedral; renew the altercation, in which he calls one of them a pandar; try to carry him out of the sacred place; and, on his resistance, slay him there.

1170

Of Christ in Becket's character there is little trace, except the courage of martyrdom. Nor was he the champion of any cause but clerical privilege. In that cause he fought stoutly and died bravely. In passing judgment on his case, we have to determine how far privilege, in itself unreasonable and noxious, might in that stage of civilization be useful as a bar against the despotism of kings. That sympathy is due to the papacy or the church as a moral power contending against a power not moral seems a fallacy. Superstition, again it must be said, is no more moral than force. To effect its ends it has, in fact, to become force. The Norman conquest of England countenanced by a pope, the civil wars kindled in Germany by the popes in their struggle for supreme power with the Emperor, the extermination of the Albigenses, the wars of the League, the massacre of St. Bartholomew, the persecution in the Netherlands, the work of the Spanish Inquisition, that of the Jesuits in the Thirty Years' War, the expulsion of the Huguenots — what were these but acts of force commanded by superstition? Were they any the more spiritual or the less criminal because superstition, instead of doing them herself, had to enlist in her service, at the same time depraving, an earthly power?

In his death Becket conquered. An electric shock ran through papal Europe. The king fell on his knees, solemnly abjured the murder, bowed himself beneath the

censure of the church, renounced the constitutions of Clarendon, and afterwards performed at Becket's tomb a penance more degrading than the humiliation of Henry IV. at Canossa, or of Barbarossa at Venice. The martyr of clerical privilege was exalted to the skies. Thanks to the enthusiasm of his order he became the chief saint of the English people. His shrine, as readers of Chaucer know, was through the middle ages the great place of pilgrimage; far more was offered at it than at the altar of God, or even at the shrine of the Virgin. Wealth poured in upon the monks of Canterbury, the showmen of the relics. Even before canonization miracles began to be performed. The collection of them, which includes, besides other portents, the raising not only of men but of pigs, geese, and cows from the dead, are among the most revolting monuments of medieval superstition and the direst proofs of its effects upon the mind. At the Reformation the idol was cast down. In the present century St. Thomas of Canterbury once more became the hero of a party aiming at the revival of priestly power, and the subject of biography hardly less veracious, though more subtle and refined in its unverity, than the hagiography of medieval monks.

The difference between zeal for ecclesiastical privilege and zeal for religious liberty was seen when a company of heretics from Germany, guilty of no offence but their heresy, which was probably nearer than was the teaching of the church to the faith of the peasants of Galilee, were in this same reign brought before an ecclesiastical tribunal, delivered by it to the secular arm, scourged, branded, and turned out to die of cold and hunger, no Becket raising his voice in their defence.



The constitutions of Clarendon had been renounced, but Becket's successor, Archbishop Richard, seems to have been a man of sense and to have seen the mischievous absurdity of Becket's principle, which would cut both ways, shielding the murderers of clerks as well as clerical murderers. The murderers of Becket, in fact, got off at last with penance. Richard compromised so far as to agree that clerks convicted of breach of forest laws, hunting being altogether forbidden to clerks by the canons, should be handed over to the secular arm, and for that concession was denounced by his order. Privilege of clergy, however, long continued more or less to shield crime from public justice.

It seems to have been partly to shun the storm of obloquy which clerical fury had raised against him, and to reinstate himself at the same time in the good graces of the papacy, that Henry undertook the conquest of Ireland. We have come to the first attempt at a union of the islands, and to the opening, so fate would have it, of seven centuries of woe. In the long line of popes Nicholas Breakspear, Adrian IV., is the only Englishman. English he was by birth, by adoption Italian. He had some time before this issued in favour of the king of England a missive granting him the dominion of Ireland, of which the pope claimed a right to dispose, on the ground, it appears, that by the Donation of Constantine, a palpable forgery, islands belonged to the Holy See. The condition of the grant was church reform in the Roman sense. The Irish church, a surviving member of the church of Roman Britain, was barely in the Roman communion and far from being in perfect obedience to Rome. It was not organized on the Roman



model; such organization as it had was monastic and rude in character; it had hardly a diocesan episcopate; it had no parochial system or tithes; it allowed marriages within the prohibited degrees; its services, its baptismal service among others, lacked the perfect beauty of holiness. It was oppressed by the native chiefs, who quartered themselves on it as they did on their lay dependents, and by lawless appropriation thrust themselves into its preferments. A marvellous, almost miraculous, period of missionary enterprise, during which Irish missionaries preached not only to Ireland but to the north of England and to Germany, and of which the romantic memory hallows the islet of Iona, had been succeeded by depression, corruption, and subjection to barbarous power. Irish church reformers had stretched their hands to Canterbury and Rome. The Anglo-Saxon conquest of Ireland, like the Norman conquest of England, partook of the character of a crusade.

The lonely island of the west had escaped Roman conquest. It had escaped Saxon conquest. By the Dane it had been visited, and its monasteries had been ravaged, but he had only founded some little settlements on its coast. Those settlements, however, were about the only germs of commerce or civilization, and they showed their affinity to the civilization of the Anglo-Norman kingdom. The Celts who peopled the rest of the island had remained in the tribal or clan state without any general polity or settled tendency to form one, though the chiefs of powerful sept might for a time gain such an ascendancy over their neighbours as to assume the style of kings. Nor was there any general law saving the Brehon law, the work of priests or bards, fancifully minute and elaborate, but

without regular authority to enforce it. Blind attachment founded on supposed kinship of the clansman to his chief was the only political organization. Tribal war was incessant, and its axe was in every hand. To unification the bogs and the great forests which then clothed the country were opposed. The climate being too wet for grain, agriculture, the mother of civilization, was rare. The people remained pastoral, and had hardly ceased to be nomad. Cities there were none, save the little seaboard cities of the Dane. The Celts had risen but few steps above the savage state, and are painted by a keen contemporary observer as showing the impulsiveness, fickleness, and treachery of the savage. They loved the harp, and displayed an aptitude for decorative art, and, it seems, a thirst for learning when its cup was put to their lips. Traditions, probably exaggerated, of a vast gathering of learned men under the auspices of the church haunt the now lonely and melancholy site of Clonmacnoise. But the church, herself unorganized, could do little to unify or civilize the nation. Without cities she could not be stately or impressive. Tribal barbarism trampled her under its hoofs. Her monuments are not cathedrals, but the Round Towers, which probably served as refuges for the priests and sacred vessels when the country was swept by the plundering tribes.

Tribal quarrels, as usual, opened the country to the invader. Dermot, a chieftain who had been worsted in a deadly feud, craved the aid of the English king. Henry 1169 had other matters on his hands, but he gave Dermot leave to enlist adventurers. Dermot turned to the northern chiefs, who had been pushing the conquest into Wales, but having, it seems, lightly squandered what they had

lightly won, were ready for a new enterprise. At their head was Richard De Clare, Earl of Pembroke and Striguil, surnamed Strongbow. Striguil sent before him to Ireland his associates, Maurice Fitzgerald and Robert Fitzstephen, with small bodies of knights and archers. The first landing of the invaders was in Bannow Bay. As the Spaniard was to the Mexican, so was the Norman with his mailed horsemen and his bowmen to the naked Celt, though the Dane made a better stand. The natives were defeated with great slaughter, and a pile of heads having been made after the victory, Dermot picked out the head of his personal enemy and tore it with his teeth. Striguil presently appeared in person on the scene, and amidst a reign of blood and havoc created himself Earl of Leinster. He was on the point of founding an Anglo-Norman principality in the island.

Fear of that result and of its consequences to his own kingdom probably concurred with other motives in attracting Henry himself to Ireland. His presence brought the Anglo-Normans back to their allegiance, and he received the transient homage of the Celtic chiefs. He reformed the church, superficially at least, after the English, that is the Roman, pattern. He annexed the dominion of Ireland to his crown, while he acknowledged the pope as grantor, and undertook to pay him an annual tribute of Peter's pence. He had been on the point of extending the conquest, and securing it by castles, when he was unluckily called away by the storm which clerical hatred and feudal mutiny had together raised against him. He left behind him at first a viceregal government, on the home-rule principle, the vicegerent being Roderick, a native chief. Afterwards his favourite son, John, was



sent over as his vicegerent. It apparently was Henry's intention to make John king, but the worthless boy only showed his folly by insulting the natives; the conquest remained incomplete; the island was permanently divided between two hostile races; and the fatal die was cast.

As a rule the church was on the side of the king against the feudatories, but in the storm which now burst, and to meet which Henry left Ireland unsubdued, clerical revenge was mingled with the wrath of the great barons, who could no longer endure the centralizing and levelling policy of the king. The sweeping dismissal of the sheriffs had probably cut the high aristocracy to the heart. The king of Scots joined the conspiracy and invaded England, hoping to annex Northumberland. The jealousy of the king of France was always at work against his too powerful vassal. It was to conjure the clerical element of the storm that Henry performed his penance at the shrine of the martyr of Canterbury. The struggle on both sides of the water was severe, but the event proved the soundness of the government. Many of the barons remained loyal. The common people both in country and town wherever they appeared in the field were for the king. With the help of these and of the mercenaries, who for the first and only time were brought to England, the king and his ever-loyal De Lucy, who now rendered his greatest and his last service, gave the hydra of rebellious feudalism a decisive and final overthrow. The victory was completed by a politic clemency, surprising in so passionate a nature as that of Henry. No blood was shed, though fines no doubt augmented the treasure which the king accumulated alike by exaction and parsimony as the condition

1173



of his free exercise of power. William, king of Scots, having fallen as a prisoner into Henry's hands, was compelled to do homage for his kingdom, so that for a moment there was a union of the island. Perfect calm ensued, and it seemed that Henry's sun would go down in splendour and in peace.

At the close, however, there came another storm, not in England, but in the possessions over-sea, and as the result of Norman mutiny combined with French jealousy, while on the rising gale rode the ever-restless spirit of Bertrand De Born, a troubadour, whose life was intrigue, satire, and battle, the companion and tempter of Henry's sons. Let admirers of medieval or Norman character mark the repeated occurrence of parricidal and fratricidal war. The son of William the Conqueror makes war upon him; his three sons make war upon each other; Henry of Winchester abets those who are making war upon his brother Stephen; the three sons of Henry II., Henry, Richard, and John, make war upon their father. Henry's sons are prompted to treason by his queen, who might find some excuse in his roving loves. To settle the succession which, it must be inferred, was still insecure, Henry had caused his eldest surviving son and namesake to be crowned in his own lifetime; a perilous measure which, with the infusions of Bertrand De Born and other intriguers, awoke in the silly boy a  
1183 desire to be at once a king. His two other sons, Richard and his ill-chosen favourite John, took part, the first openly, the second secretly, in the plot of which the prime mover was the able and unscrupulous Philip  
1183 Augustus, now king of France. Young Henry died; he died in an agony of remorse, desiring the clergy who

were with him to drag him from his bed with a rope round his neck and lay him on the ashes. Deathbed repentance was better than none, as it might impress the survivors, but its supposed efficacy was a dangerous part of the spiritual system. Young Henry had conjured his father to come to him. But in those days of chivalry the old king feared treachery, and could only send a ring in token of his forgiveness and affection. Richard and John, with the king of France, carried on the war, and Henry, overpowered, was forced, at a humiliating conference, to place himself at the mercy of the French king, and to agree to a treaty by which he made over to the undutiful Richard a part of his dominions. The treaty signed, he asked to see a list of the conspirators, and his spirit sank when at the head of the list appeared the name of his favourite John. "Now," he cried, "let things go as they will. I care no more for myself or for the world." Chinon, in its summer beauty, had received the broken-hearted and dying king. Only Geoffrey, his bastard son, was at his side, and performed to him, as he tossed upon his fevered couch, the last offices of love. With the delirium of his disease mingled the agony of defeat. "Shame! shame!" he kept crying, "upon a conquered king!" He did not know what great things he had done. 1189

While the mighty monarch was dying, servants whom his bounty fed had been plundering the house. They stripped his body and left it on the ground naked till a knight covered it with his cloak. This it was in Henry's days to be a king. 1189

## CHAPTER V

### RICHARD I

BORN 1157; SUCCEEDED 1189; DIED 1199

**T**HOUGH in France the career of Henry of Anjou had closed in disaster, in England his work stood firm. Triumphant over the mutinous aristocracy, rooted apparently by its benefits, its sternness and the weight of its taxation notwithstanding, in the allegiance of the people, served by a trained staff of able ministers, and with a regular army of mercenaries on which to call at need, while the warlike character of the feudal array had been impaired by scutage and substitution, the monarchy had become almost absolute. The lawyers, who had drunk of the Roman fountain, were imperialist in spirit. A jurist of Henry II.'s reign had cited from the imperial code as applicable to his king the maxim that the will of the prince is law.

1176, The writer of the Dialogue on the Exchequer, a bishop in  
1178 the service of the crown, had laid down the doctrine that kings are above human justice and responsible to God alone, almost in the terms in which it was laid down by the ecclesiastical flatterers of Charles I.

1189 Richard I. mounted his father's throne without the slightest opposition, and without putting forth any charter of concessions, though he made the usual promises of good government. He was crowned with a magnificence which bespoke the exaltation of the monarchy as well as his own



pride and love of pomp. Had he been a statesman and stayed at home to govern, the monarchy might have become a despotism, but he was a knight-errant, and his reign in England almost ended with his coronation. Instead of the rule of a strong king, there was a divided and distracted regency, while the confusion caused by the weakness of the government was increased by the disloyal ambition of Richard's brother, John.

England was a member of the religious federation of Latin Christendom. She had to bear her part in the mortal struggle between that federation and Islam. It was a conflict not only between Christ and Mahomet, but between liberty and despotism, between monogamy and polygamy, between progressive effort and the apathy of fatalism, between the influence which has done most to civilize Europe and that which has blighted Mahometan Asia. It was not alone for the Holy Land that war was waged; the tide of Mahometan conquest rolled to the plain of Tours, and was there arrested only after desperate and long doubtful battle by Charles Martel. The holy places might be legendary, pilgrimage to them, crusades for them, might be folly, the choice of Palestine as the field of battle might be a military and political mistake; but it was the Sepulchre that called forth the enthusiasm, that gave Christendom a mark for concentrated effort and an all-inspiring battle cry. The Sepulchre had fallen into the hands of the infidel. Europe, stricken to the heart, rushed to the rescue. Henry, a statesman above all things, had taken the cross with his brother kings; but he had put to his council a leading question, the answer to which was that his first duty was at home. His son was a born crusader, a warrior, and a knight-errant, without a par-



ticle of the statesman. Richard's sole thought was the crusade. To equip himself for the crusade was his only care as king. His methods of raising money threw light on the relation between romantic chivalry and common honesty. He put everything up to sale. He sold the domains, honours, and offices of the crown. He sold bishoprics and abbacies. He sold the hands of heiresses who were royal wards in marriage. He sold the earldom of Northumberland. He sold to the king of Scots not only the castles of Newark and Roxburgh, but the sovereignty over Scotland which had been conceded to his father. He sold licenses for tournaments, which might be licenses for cabal and disorder. He extorted three thousand pounds from his half-brother, Geoffrey, who had been made Archbishop of York. He dismissed almost all the sheriffs, making them pay, no doubt, for their restoration. He wrung a heavy fine, on what pretext is not clear, from his father's old and faithful servant, Ranulph De Glanville, forcing him to pay by imprisonment.

As England shared the crusades she shared the anti-semitic movement, to use the modern name, which was allied to the crusades and swept over Europe at the same time. The Jew had been patiently plying his tribal trade of finance. To own real estate he was not at this time forbidden by law. But finance, not land-owning, was his line. Christianity recognized the Mosaic law, which forbade usury to be taken from a brother; but the Jew could take it from the Christian as a stranger, and thus had a monopoly of the trade. To the medieval church the Jew was an alien, not persecuted like the Christian heretic, though an object of religious aversion. In his penal homelessness he was regarded as a witness to reve-

lation. The canon law shielded him from outrage and his children from forcible conversion. In the medieval state he was the serf of the king, who protected him in his extortion, and went his partner in its fruits. This use of the Jew as a financial sponge had formed, as we have seen, an evil part of the fiscal policy of Henry II. In England, as elsewhere, the Jews grew rich at the expense of the people, as the people thought; though it is maintained on their side that they were useful as capitalists in supplying money for great undertakings and promoting trade. Instead of being, as historical novels represent him, down-trodden, despised, and crouching, the Jew was not less dreaded than he was hated. He lorded it over his debtors, built him a stately dwelling, and loved to display his wealth. Sometimes he even ventured to insult the national religion. If he was confined, or confined himself, to the Jewry, this was less of a hardship when special quarters of cities for particular trades or callings were the rule. If kings took much from him, they left him more, and he was exempt from the heaviest of taxes, being never called on to serve in war. Beholding the Jew's mansion, the Englishman said, as the Russian peasant says now, "That is my blood!" The excellent abbot Samson thinks that he has gained a blessing for his people in clearing St. Edmundsbury of Jews. Everywhere the Hebrews formed a nation within the nation, bearing themselves as a chosen race, living apart, regarding their neighbours as unclean, celebrating their feast of Purim with a demonstrativeness perhaps offensive to the Gentile. It was not wonderful that in the darkness of the middle ages popular fancy should have invested with imaginary attributes of malignity that which to many was a real

1190

power of evil, and imagined that the financial oppressor sacrificed Christian children, poisoned the wells, and spread the plague.

By the loss of the Sepulchre, and the call to arms for its recovery, Christian fanaticism was raised to frenzy. In the conflict of races and characters the Jew belonged to the East, not to the West. It was suspected, perhaps not without reason, that his heart was with the East, and even that he might be willing to open the postern door. It is likely that he inflamed the feeling against him by practising extortion on those who were selling or mortgaging all they had to fit themselves out for the holy wars. Over Europe hatred of the Jew flamed forth. Outrage and massacre ensued, no doubt, on a hideous scale, though on the prodigious numbers given by mediæval chroniclers no reliance can in this or in any case be placed. Good Christians, like St. Bernard, strove in vain to allay the storm. In London the Jews provoked the wrath of the populace by intruding upon the coronation feast, which wore a religious character. A frightful riot, with wrecking of Jews' houses, pillage, and massacre broke out. It spread to other cities of the kingdom. By making for the churches in which the bonds of the Jews were kept, the mob showed that debt as much as fanaticism was the source of its fury. At York, where Jews had given special umbrage by their wealth and pride, they found refuge in the castle, and defended it with the desperate tenacity with which their race had defended Tyre, Carthage, and Jerusalem. When they could hold out no longer they set fire to their treasures, slew their wives and children, then slew themselves. The government made some examples, proclaimed the Jews under its pro-



tection, and, the Jews being its property, exacted on its own account the debts of those who had been slain. The storm blew over, and the Jews were soon as active in their trade, as wealthy, and as much feared and hated as before.

To settle the government and secure the peace of the kingdom during his absence, Richard divided power between the worthy Hugh De Puiset, Bishop of Durham, 1190 and the not so worthy William of Longchamp, Chancellor and Bishop of Ely. The sinister ambition of his brother John he tried to allay by gorging him with estates, honours, and jurisdictions at great expense to the crown. The arrangement failed. Longchamp, though faithful to his king, was grasping and arrogant, an intriguer crooked in mind as in body, and an alien to boot. He crushed his associate Hugh, then, ruling alone, made himself so obnoxious that he was overthrown by a general revolt. An opening was thus made for the schemes of John, who, though gorged, was not satisfied, and who presently found a confederate in his brother's deadly enemy, Philip Augustus of France. Confusion reigned, and Richard's crown was in jeopardy when he reappeared upon the scene.

Meantime he had sailed away for the Holy Land with 1190 a mighty fleet. This is the first war fleet sent out by England after the conquest, and may be said to open the history of the British navy. Regular navy in those times, or naval administration, there was none. The five ports on the Channel were specially charged, as the price of their privileges and honours, with maritime defence, and were special seats of nautical character and of its tendencies to political freedom. The king owned



ships, as sometimes did a grandee. But the bulk of the fleet was made up by general impressment of ships, which would be somewhat analogous to the general obligation of landsmen to serve in the army. The code of laws for that fleet, extremely strict and cruel, was Richard's contribution to the progress of legislation. England heard from afar, not, we may suppose, without a thrill of interest and some elevation of national spirit, how Richard of the lion heart and ungoverned temper had on his way to the Holy Land quarrelled with the Sicilians, thrashed them, and stormed their city; fallen upon the tyrant usurper of Cyprus and conquered his island; how he had attacked and captured a huge Turkish ship; how he had landed at Acre amidst the enthusiasm of the Christian host which was besieging it, and brought new life to the siege, taken the great city of the misbelievers, and butchered thousands of them in cold blood; how he had outshone the other crusading princes by his prowess, while he made them his enemies by his overbearing pride; how, when deserted by them, he had continued to perform marvellous feats of war, covered himself with glory, and won the admiration and friendship of the great Saladin, though, betrayed by his confederates and single-handed, he failed to redeem the Sepulchre. Then came the news that, crossing Europe on his way back, he had been foully entrapped and held to ransom by the Duke of Austria, out of whose hands he had passed into the hands, equally mean, of the Emperor; and that the customary aid for ransoming the lord from captivity would have to be paid by the country on the largest scale. The papacy, which in its own interest could reduce to submission Barbarossa and Henry II.,

failed to rescue from the hands of a robber duke and emperor the foremost champion of Christendom.

The blackmail demanded by the imperial brigand was a hundred thousand pounds, double the whole revenue of the crown. The means by which it was raised disclose the strange medley of the fiscal system in a nation passing from the era of feudal tenures, services, and dues, to that of nationality with national taxation. Each knight's fee pays twenty shillings. The royal domains pay tallage. The land not held by military tenure pays a land-tax under the name of carucage, for the assessment of which a new survey had to be made. Besides this, a tax on personalty, one-fourth of revenue or goods, is imposed for the special occasion on all. From the Cistercians is taken a fourth of their wool, now a staple; from the churches their plate and jewels. The gold on St. Edmund's shrine at Edmundsbury was saved only by the protest of Abbot Samson. When the tax-collector came to the door, the people no doubt groaned; but, on the whole, the ransom for the hero seems to have been freely paid. 1193

Richard, after his release, tarried barely two months in England. War, not government, was his element. This time his field of battle was Normandy, and his enemy was Philip of France. His second stay was spent, like his first, in raking together money for his war. Again he sold offices and everything else for which he could find a market. To illustrate once more the morality of chivalry, he made another great seal, and compelled holders of grants to have them sealed anew and pay the fees over again. The Emperor still retained a shadow of European supremacy, the vestige of imperial 1194

Rome. To bribe his pride, it seems, Richard had done homage to him. It may have been to assure himself and his people of his being, this submission notwithstanding, still sovereign, that he repeated, or partly repeated, the ceremony of his coronation. At his departure he left England in the hands of Hubert Walter, Archbishop of Canterbury, an able minister, who seems to have applied the administrative and fiscal policy of Henry II., though his statesmanship was largely engrossed by the collection of money for his master's war. The last, and not least, notable exploit of Richard was the construction of the Château Gaillard to command the Seine and the approach to Rouen; a work which showed an advance of engineering skill not without its bearing on politics, since it added to the superiority of the defence. The end of Richard of the lion heart resembled that of Charles XII. of Sweden, his counterpart in life-long pugnacity. He met his death before a petty fortress, to the siege of which he had been lured by an idle story of treasure trove.

That the government should have held together during such a reign shows how solid the work of Henry II. had been, and how strong he had made the monarchy. Yet the effect of a practical vacancy of the throne for ten years could not fail to be felt. Actual progress towards constitutional government was in some respects made. In the collection of Richard's ransom it was necessary to make appeals to the people which familiarized them with the idea of self-taxation, while the principle of representation was called into play by the local machinery of assessment. It seems, also, that for the maintenance of order the regency was compelled to



throw itself more upon local support. Towards the end of the reign, St. Hugh, Bishop of Lincoln, successfully resisted a demand upon the estate of his bishopric for troops to serve beyond sea. This, unless we reckon Becket's refusal to pay danegelt on church lands, or Anselm's refusal to meet the demands of Rufus, is the first instance of a constitutional resistance to taxation. Longchamp was deposed from his vicegerency by a convention of barons and London citizens, which may be said to have been the rude prototype of a convention parliament. A step from the system of feudal aids and dues to that of national taxation was taken in the institution of carucage, a regular land-tax of so much on every hundred acres, and when taxation becomes national it forms an object for national vigilance and resistance.

The towns, cradles of the democracy that is to be, are growing; their liberty is advancing; they are gradually detaching themselves from the feudal system. Trade had flourished under the broad empire and the firm rule of Henry II. One by one the towns are ceasing to be groups of huts on the domain of the king or of some lord, tallagable like the rest, and under the jurisdiction, apt to be oppression and plunder, of the sheriff. They are working and buying their way to municipal self-government. The form which their upward effort takes is that of guilds, either of merchants or of craftsmen; the merchant guild being the higher and more aristocratic, the craft guild that of the more democratic artisan; guilds of both kinds being religious and benevolent brotherhoods, as well as associations of trade, narrow and monopolist in their policy, as in those times they could not help being, and perhaps needed to be. Charters



were in course of time purchased by the guilds for a full commune or municipality with its own jurisdiction and collecting its own taxes or aids instead of having them assessed and exacted by the sheriff. In England, as elsewhere, the crown, in its struggle with the great lords, found allies in the boroughs. During the last feudal rebellion some English boroughs had suffered in the royal cause. If Henry II., tenacious of power, was sparing in his grant of municipal charters, Richard sold them as freely as he sold everything else.

London led the van and set the example of progress. That it could put twenty thousand horse and sixty thousand foot into the field, as a contemporary chronicler asserts, is incredible; yet it had become, for those times, a great and opulent city, full of commercial activity, full also of social life, the vigour and unity of which, as well as the martial spirit of the citizens, were kept up by manly exercises and games. It had established a regular municipal government. It had played an important part in the election of Stephen as king, in the rejection of Matilda, and in the deposition of Longchamp. Now it  
1191 has its first mayor. Its local government was passing finally out of feudal into commercial hands. It has arrived at the epoch of municipal parties, plutocratic and democratic. The democracy complained that the taxes were unjustly levied by the burgher oligarchy, which was in possession of the government. Their dis-  
1196 content found a mouthpiece in William Fitzosbert, or Longbeard, an ex-crusader, a man of great strength and stature, a popular orator, with some knowledge of law. He belonged to a high civic family, but had wasted his means and was thrown upon his wits. It seems that he

first bid for the favour of the court, and in an unscrupulous manner, by accusing his brother, who had refused him money, of treason. He then turned to the people, made himself the champion of the poor, or, as we should now say, of the masses against the classes, pushed his way into the council, and harangued at open-air meetings, denouncing the mayor and aldermen. An outbreak, perhaps the sack of the city, appeared imminent, when the government came to the assistance of the burgher oligarchy, and Longbeard, having slain one of the soldiers sent to arrest him, took refuge in a church, was forced from that sanctuary, and, after a summary trial, 1196 hanged in chains. He was the first English democrat who suffered for his cause. His party styled him a martyr, and miracles were performed at his tomb.

## CHAPTER VI

### JOHN

BORN 1167; SUCCEEDED 1199; DIED 1216

**H**AD the present rule of succession to the crown been then in force, young Arthur, son of John's elder brother Geoffrey, would have been Richard's successor on the throne. But the rule was not yet settled, and the man was still preferred to the boy. John, when he had gone through the form of election and been crowned by the archbishop, was rightful king of England. The king of France and John's other enemies used his nephew's claim against him, but Arthur fell into his uncle's hands, and John practically settled the question of succession, as all the world believed, by the murder of the boy.

We must listen with caution to the ecclesiastical chroniclers in the case of a king who quarrelled with the church. Yet they do not seem to have gone much beyond the mark in saying that John when he died made hell fouler by his coming. Force, fitful energy, even flashes of statesmanship and generalship, he had. So far he was a Plantagenet, but he seems to have been thoroughly wicked. Archbishop Hubert in crowning him, if we are to believe Matthew Paris, a chronicler of liberal tendencies in the next generation, dwelt with extraordinary force on his responsibilities as an elective king, and pledged him to constitutional government. Any such

pledge John gave to the winds. His throne of cruelty, lust, perfidy, and rapine was upheld by mercenary troops, the scourge of a nation. To the father who fatuously loved him his treachery had been a death-blow. As his father's deputy in Ireland he had displayed his folly and insolence. Against his brother Richard, when Richard was fighting for Christendom, he had disloyally conspired. In wedlock as in everything else he had been false. Before his accession to the throne he had married Hadweisa, daughter of the Earl of Gloucester; but when he became king, desiring a grander match, he put her away on the pretext of consanguinity, and married Isabella, daughter of the Count of Angoulême, snatching her from the arms of the Count de la Marche, to whom she was betrothed. The pope, with whom John happened to be on good terms, was silent. So doubtful a guardian was the papacy of the sanctity of marriage when its own policy was not concerned. 1200

Bad as he was, and by reason of his badness, John rendered two great services to England. He lost Normandy; and he gave birth to the Great Charter. The line between the Anglo-Saxon and the Norman had by this time been effaced. In the legislation of Henry II. there is no trace of it, no different ordeals for the two races, no presentment of Englishry. The great conquest families had either died out or wrecked themselves in rebellion. Still Normandy was a focus of feudal mutiny, while its possession made the king of England only a half-English king, and the nobility of England who held lands in both countries only a half-English nobility. Henry I. during the thirty-six years of his reign had spent but five summers in England. Henry II. spent a great part of his



time on the continent, and wasted much, perhaps most, of his activity there. He understood but could not speak English. Richard had passed in Norman war the years left after his release from captivity, and the monument of his reign was the Château Gaillard. The severance was essential to the completion of English nationality. Henceforth the king of England is English, the nobility is English. The political lists are closed, and the tyranny of John challenges a national resistance. Conscious nationality may be said to date from this hour.

In fact, the first opposition which John encountered was from the unwillingness of his barons to follow him in arms to a land in which they had no longer an interest. But the monarchy was strong; John had a standing army of mercenaries; and while he could wring money to pay them from his people or from the Jews, though his cruelty and lust made him deadly enemies, particularly among the noble families on whose honour he trampled, his tyranny at home was secure. It is hard to say what might have happened had not John, like his father, but under a still more adverse star, come into collision with the church, which here did in truth by its counter-tyranny put a salutary limit to the tyranny of a king.

The archbishopric of Canterbury was vacant by the death of Hubert, in whom John lost his best counsellor, though one whom he feared much more than he loved; at least, when Geoffrey Fitzpeter, who had always restrained him, died, he said that the justiciar had gone to join the archbishop in hell. The justiciar, it is observed, had begun to exercise something like the influence of a prime minister, or, rather, like that of the justiciar of Aragon, whose authority was a check upon the power of

the king. Two applicants for the pallium presented themselves at Rome; Reginald, the sub-prior of Canterbury, where the chapter was monastic, clandestinely elected by the younger monks; and John De Grey, Bishop of Norwich, John's favourite minister, afterwards elected by the chapter on the nomination of the king. The pope heard the cause, gave each suitor a shell, and took the appointment himself. He made the representatives of the chapter who were at Rome elect a friend, and, as he might hope, a creature of his own, Stephen Langton, an Englishman by birth, but a scholar of European fame and a star of the University of Paris. John refused to recognize the appointment, drove the monks of Canterbury from their house, seized their estates, and set the pope at defiance. To soothing words and menacing allusions to Thomas Becket he was alike deaf. When he was threatened with an interdict he swore by God's teeth, his favourite and appropriate oath, that if the interdict were published he would seize all the possessions of the church, outlaw all the clergy, pack them out of his realm, and if emissaries came from Rome would send them back without noses and eyes. He seems to have been a practical free-thinker. There were stories of his sending three times in the course of a sermon to a bishop and a saint who was preaching before him to stop because he wanted his dinner; of his covetously fingering the offertory money; and of his letting the spear-sceptre fall at his inauguration by the archbishop as Duke of Normandy, while he was jesting with his boon companions. He refused to communicate at his coronation, and was reproved by St. Hugh for refusing to communicate at Easter. It could even be believed of him that he thought

of turning Mahometan. But in the conflict which he now challenged the stars in their courses fought against him. Thanks to the general growth of superstition, to the religious ferment of the crusades, to the steadfastness of papal ambition, to the continuity of papal policy, to the efforts of a European priesthood united and enthusiastic in its own cause, to the skilful use of an arsenal of sophistry, forgery, misquoted Scripture, and fallacious metaphor, combined with the favour of the people, who saw in the Vicar of Christ a power above that of their immediate oppressors and did not see the court of Rome, the papacy, even since the time of Henry II., had been advancing with great strides. The successor of Peter asserted his claim to excommunicate kings and to release their subjects from allegiance, to depose them and to set up others in their room; to call kings to account not only for offences against the church, but for offences against moral laws, such as the laws of marriage; himself to receive kingdoms by cession; to grant those to which there was no heir, the succession to which was doubtful, or which had been won from infidels or heretics; to dispose of all islands as Pope Adrian had disposed of Ireland; to interfere in imperial and royal elections, not only in the last, but in the first resort; to put in motion the armies of crusading Christendom; to command kings to march; to excommunicate them for disobedience to the command. Innocent III., the pope by whom most of these advances towards supremacy were made, and against whom John had now pitted himself, was about the most formidable of the line. Unlike popes in general, he had been elected in the vigour of his manhood. He was a man of commanding genius and extraordinary force of character.



With the fanatical zeal of the monk he combined the address of the politician, and never was earthly conqueror more ambitious, more unscrupulous, or more ruthless than this Vicar of Christ. For a moment he almost realized the ideal of Hildebrand by making Europe a theocracy. His resolute policy had set his throne on firm foundations in Italy, where the papacy, being most seen, was least respected. He had the heir to the kingdom of Sicily for his ward. He interposed as supreme judge in imperial elections; decided in favour of Otho of Brunswick, against the Hohenstauffen, Philip; brought on the Empire ten years of devastating war; and afterwards excommunicated Otho. For a king's breach of the marriage vow he laid France under an interdict, and humbled her astute and powerful monarch in the dust. He treated in the same way the princes of Castile and Leon. For disloyal dealings with the infidel, he cursed the king of Navarre and his realm. He saw the crown of Aragon laid on the altar of St. Peter. He forced tribute from Portugal. From Servia to Iceland he made his authority felt. Only by the shrewd traders of Venice was his anger braved when their interests were concerned. Aided by the passionate eloquence of Fulk De Neuilly, he set on foot a new crusade, and his crusaders having taken Constantinople, he stretched his empire over the seat of the Eastern schism and was pope at once of both the Romes. Arming the ambition of the king of France and of Simon De Montfort in the cause of Peter, he exterminated amid scenes of blood, atrocity, and havoc, to which history affords few parallels, the gay and prosperous but heretical population of Southern France. Under his pontificate were founded those two mighty engines of the papacy,

1198

1198

1210

1200

1214

1204

1198

1204

1208



1209, the orders of St. Francis and St. Dominic, the latter the  
1215 order of the Inquisition, devoted to the enslavement of the mind. Against such a pope, such a king as John had little chance of winning the game. His character and his estrangement from the barons made him a tempting quarry for Innocent's towering ambition.

1208 After futile parleyings the pope launched the interdict. For six years, the churches of England were closed; the services ceased; the bells were silent; the images of Christ were veiled; the relics of the saints were withdrawn from sight; no sacraments were administered saving the baptism of infants and the extreme unction of the dying. The dead were buried in unhallowed ground. Marriages were performed only in the church porch; sermons were preached only in the churchyard. The sources, deemed indispensable, of spiritual life were cut off, and to compel the king to surrender to the pope there was a wholesale and promiscuous slaughter of Christian souls. Herein the pope, as a spiritual conqueror, followed the analogy of secular war, in which to bring the princes to terms the subjects are put to the sword. The bishops, having pronounced the interdict, fled the realm, all save the courtier or patriot prelates of Norwich, Winchester, and Durham. Stephen Langton posted himself at Pontigny, the retreat of Becket, to whom he did not fail to be compared. John was as good as his word. He met the interdict by outlawing the clergy, at the same time holding to ransom, no doubt with impious joy, the concubines whom in defiance of the canons many of them kept. He even let the murderer of a clerk go free, though to the reign of violence thus opened he had soon to put a stop. Raging like a hunted boar, he showed his Angevin

energy and fierceness. He compelled all the tenants of the crown to renew their homage; took hostages of barons whom he suspected; drove others to France or Scotland and seized their castles. He led an army to the border of Scotland and compelled the king of Scotland 1209 to give sureties for keeping the peace. His mercenaries would reck little of the interdict. Nor does it seem to have told as might have been expected on the people at large. It was not universally observed, some monasteries and churches pleading exemptions. But an age superstitious enough to believe in curses looks for visible effects of the curse. The sun continued to shine on England; the seasons held their course; the earth yielded her fruits. From those whom Rome had cursed heaven appeared not to withdraw its blessing. Taxation was lightened by the seizure of church property, and the land apparently was doing well.

The pope now warned the king as his "dear son" that the bow was fully bent. After more vain parleying the arrow flew. The sentence of excommunication went 1212 forth against the king. To publish it formally in England was not easy, all the bishops of the pope's party being in exile. But rumour spread the fearful news. Geoffrey, Archdeacon of Norwich, whispered it to his colleagues in the exchequer, and was requited with a cope of lead over his head and shoulders, in which he was starved to death. John did not yield. He had his mercenaries with breasts curse-proof; he had money to pay them withal from the spoils of the church, including the wool-packs of the Cistercians, from the tallage of his towns, from the coffers of the Jews, one of whom he forced to disgorge by daily pulling out one of his grinder teeth.

His trusty De Grey, his two other royalist bishops, were still at his side ; his barons seem not to have shunned him ; his captains, soldiers of fortune, were faithful to his gold ; the son of the king of Scots was sent to receive knighthood, a half-religious ordinance, at his hand. Nor was he without a publicist on his side. Alexander, surnamed the Mason, did for him in a humble way what Peter De Vineis did for Frederick II., arguing that the pope had no right to meddle with civil rights or estates, God having given Peter power over church government and church estates alone. John bestirred himself with fiendish energy, flew to Ireland, there crushed the dangerous house of Lacy, captured the wife and child of his enemy, William de Braose, and brought them to Windsor, where they were believed to have been starved to death. Ireland he put under his faithful De Grey. Apparently he saw, as Strafford and James II. saw long after him, that in Ireland a force might be raised for the suppression of English resistance. From Ireland he flew to Wales, the ever restless, and dispersed the cloud of mischief which was gathering on those hills. He forced the Welsh chieftains to give him twenty-eight hostages, whom, finding that the Welsh were again being stirred up against him, he hanged. He now received ominous warnings of treason near his person. From Wales he flew northwards, then he hurried to London, crushed disaffection there, and forced the barons whom he suspected to put their children into his hands. In the north, where the spirit of the barons was most independent, rebellion broke out, but the mercenaries put it down.

It seemed that in the battle between brute force and superstition brute force was not unlikely to win. But



superstition now, as usual, called brute force to its aid. The pope absolved John's subjects from their allegiance, deposed him, and gave his kingdom to his enemy, Philip of France. Philip's rapacity had already served Innocent in the extermination of the Albigenses. It answered with alacrity to this new call. He raised an army for the invasion of England, and by his sword the pope was on the point of slaughtering the bodies of John's subjects, as by the interdict he had slaughtered their souls. John mustered the forces of his kingdom on Barham Down, but he could rely on none save the mercenaries and the auxiliaries whom De Grey had brought from Ireland. He felt that all men were against him and were looking for his fall. The prophecy of a certain Peter Hermit that he would no longer be king on Ascension day had taken hold of the mind of the people and of his own. Pandulph, the pope's legate, a wily Italian, slipped over to scare him with pictures of the French force. At last his heart failed him. He gave way, and as his resistance had been sustained not by principle, but by savage pride, he not only bent but broke. He consented to admit Langton as archbishop. He engaged to restore all exiles, release all prisoners, rescind all outlawries against clergymen, make full restitution of all church property, and reimburse those whom he had despoiled. He did more, and much worse. By a formal instrument placed in the hands of Pandulph, he surrendered his kingdom to the pope, and received it back as a fief of the Holy See, undertaking to pay for it in token of vassalage the annual sum of a thousand marks, of which three hundred were for Ireland. He was then released from excommunication by Stephen Langton, at whose feet and those of the bishops he grovelled in tears.



But the interdict and the destruction of souls which it entailed were allowed to continue for nearly a year, when John, having satisfied the pope on the question of compensation, the bells rang out again and the services of the church were performed once more. Papal and ecclesiastical pretensions had reached their high-water mark in England. From this time the tide is falling, though the waves may again beat high.

With the pope John's peace was ignominiously made. His peace was not made with his subjects, who, besides the public grievances, arbitrary taxation, abuse of the feudal rights and perquisites of the crown, sale and denial of justice, the violence and licence of the mercenary troops, the employment of foreign brigands in high places, violations of the liberties of London and other towns, and oppressive administration of the forest laws, which John aggravated by preserving feathered game, had private wrongs to avenge; the ruin of their estates, the banishment of their kindred, the pollution of their homes by the king's lust. Even the clergy, complaining that through the partial management of the pope's legate they had been docked of their indemnity, were still malcontent. There ensued a great political movement, in which the strength of the Angevin monarchy, with its army of mercenaries, and the decline of the feudal militia, compelled the nobility to enlist the people. Had the monarchy been weak, privilege would have needed no ally. The soul of the movement was the free-spirited baronage of the north. As its consecrator and guide came forward Stephen Langton, in choosing whom as archbishop the pope had chosen much better than he knew. Stephen, though a churchman, was an Englishman. He had shown

his regard for liberty and right by binding the king at his absolution to keep the good laws of Edward the Confessor. He now began to play a part as unexpected as it was memorable.

Philip of France had spent much money in armaments, and his cupidity had been excited. When, the reconciliation of the king with the pope having taken place, it was notified to him by Innocent that the crusade was at an end, he cursed the deceitfulness of Rome and proposed to his council to sail for England, the pope's prohibition notwithstanding. But he was thwarted in the council by Ferrand, Count of Flanders, who at heart was an ally of England. He then turned from England upon Flanders, 1213 took Ypres, and was laying siege to Ghent when the English fleet, which had been collected to meet the invasion, sailed to the Flemish coast under William Longsword, Earl of Salisbury, the bastard brother of John, and captured the greater part of the French fleet, laden with supplies for the campaign. John's spirit rose, and he once more showed himself not incapable of vigorous action. He passed with an army into France, for a moment recon- 1214 quered Poitou, and by a grand stroke of diplomacy formed a league with the Emperor, the Count of Flanders, and other princes of Germany and the Low Countries, which brought the French monarchy to fight for its life 1214 on the field of Bouvines, and, had the day there gone in favour of the league, might have altered the course of European history. At Bouvines, however, the star of France prevailed, and John returned from abroad weakened by defeat to encounter rebellion at home.

The immediate issue was foreign service. In the last reign this issue had been raised with success by the

saintly Hugh, Bishop of Lincoln, in whom Richard, had he lived, might have encountered a second Becket. The barons had refused to follow the king to France, pleading that they had served their forty days at the rendezvous on Barham Down. The king was proceeding to take summary vengeance on them when his path was crossed by the archbishop, who warned him that it was the right of the accused to be tried by their peers. Meetings were held to concert measures for the defence of liberty and right. At one of these Stephen Langton produced a copy of the charter of Henry I. The barons accepted it with acclamation. Assembling under colour of a pilgrimage  
1214 at St. Edmundsbury they were sworn severally at the high altar to withdraw their allegiance to the king if he should refuse to acknowledge their chartered rights. On his return they presented themselves before him in arms, and demanded the laws of Edward the Confessor and the charter of Henry I., thus combining the claims of both races and all interests. John saw his danger. He had lost the support of the legate, whom the pope had recalled, and he had been bereft of the aid of his ablest counsellor by the death of John De Grey. He temporized, sent for more foreign troops, strengthened his castles, and tried, though in vain, to detach the clergy  
1211 from the common cause by granting them a charter of  
1215 free elections to bishoprics and abbaties. He also tried in vain to enforce a general renewal of the oath of fealty with an abjuration of the liberties now demanded. At the same time he took hold of the skirts of the church by enrolling himself among the crusaders. Both parties applied to the pope. It is often said that the papacy, in the middle ages, was the friend of public liberty. It



might balance other tyrannies, but it has always been, in its affinities and sympathies, as well as in its own character, despotic. When did a pope rebuke the misrule of a king, or excommunicate and depose an oppressor who was not an enemy of the papacy? Innocent intended that the power in Christendom should be held under himself by the kings. Having reduced the tyrant to vassalage he now upheld the tyranny. He enjoined the archbishop, at whom he glanced as the promoter of the disturbances, to put them down, annulled all leagues, and forbade them to be formed in future under pain of excommunication. The barons, advancing with a large force to Brackley in Northamptonshire, again presented their demands to the king, who lay at Oxford. The king, having garrisoned his castles, and being assured of the pope's support, told them that they might as well demand his crown, and that he would never grant them liberties which would make him a slave. A slave the Angevin monarch deemed himself if a limit were put to his power. Pandulph, the pope's legate, called on the archbishop to excommunicate the conspirators. But Langton declined, saying that he knew the pope's intentions better, and threatened to excommunicate the foreign soldiery if they were not sent out of the kingdom.

Civil war then broke out. The army of the barons, which styled itself the Army of God and Holy Church, took the field under the command of Fitzwalter. This was no mutiny of the feudatories against the crown as a power of order: The aristocracy, which formed the Army of God and Holy Church, was an aristocracy of after-growth, having its chief seat in the north, English and patriotic, whatever language it might speak. With



it were combined representatives of the great ministerial houses. It rose not against order, but against lawless tyranny. The English people who had been for Rufus, for Henry I., for Henry II., against the feudatories of the conquest, were with the new nobility against the king. London was heartily on the same side. On the king's side at last were only a few satellites of his tyranny and the captains of his mercenary bands. One or two nobles of the better stamp, such as William Marshall, Earl of Pembroke, remained with him, hoping to guide him right, and probably dreading the confusion which would ensue if the monarchy were overthrown. Langton, the paragon of ecclesiastical statesmen, preserved the attitude of a mediator, while he was the soul of the patriot cause. The younger barons, as was natural, were foremost in the fray.

The patriot army appeared before Northampton, which, London being disaffected, was John's chief seat of government and the depository of his treasure. But the foreign garrisons were staunch and the place was too strong to be taken without a siege. Bedford opened its gates, and now an invitation arrived from the patriot party in London. A detachment at once hastened thither. The gates were opened while the citizens were at early Mass and the city was occupied without resistance. The patriots are accused of having held a reign of terror, arrested the partisans of the king, and seized their goods. His capital lost, and rebellion, after the fall of London, boldly rearing its crest on all sides of him, the king was fain to treat.

He was at Windsor. There he met the barons. On a broad meadow beside the Thames, between Windsor and

Staines, famed in political history under the name of Runnymede, two camps were pitched. In one were the king, Pandulph the papal legate, representing the pope as suzerain, John's ministers, the few barons who adhered to him, and his mercenary captains. In the other was the Army of God and Holy Church. Under the mediation of Langton and William Marshall a conference was held. The issue was a charter ostensibly of grace, really of capitulation, granted by the king and witnessed by the chief men, lay and clerical, of the realm. 1215

This is that Great Charter which, again and again renewed, was invoked by succeeding generations as the palladium of national right. Of it the other great documents in the archives of English liberty, the Renunciation of Tallage, the Petition of Right, the Habeas Corpus, and the Bill of Right, are complements or reassertions. Its name is sacred in all lands to which British institutions have spread, it served as the watchword of patriotism in the American revolution, as well as in the struggles against the tyranny of Plantagenets or Stuarts, and was invoked in 1865, for the protection of the black peasantry in the British dependency of Jamaica. It is only now beginning, in common with all charters and all ancestral or traditional safeguards, to give place to political science as the morning star gives place to day.

The earliest constitution, this Charter has been called. That designation it can hardly claim. It is too unmethodical, too miscellaneous, and its great political articles were dropped in subsequent editions. Some of its articles are personal, such as that requiring the dismissal of John's mercenary captains by name, and the expulsion of their bands. Some are occasional, such as that providing for

the restitution of the king's robberies. Its framers certainly had no object in view beyond the correction of abuses, though in correcting the abuse they affirmed the right.

The American Declaration of Independence, the French Declaration of the Rights of Man, proclaim abstract principles. The Great Charter proclaims no abstract principles. It simply redresses wrongs. But the wrongs are substantially those of bad government in general, and the principles of redress are fundamental.

The piety of the Army of God gives the first place to the church, which is assured of all its rights and liberties, including freedom of election to bishoprics and abbacies; a freedom which, however, it was destined never to enjoy, and which it could not have enjoyed with the pope for its head and in conjunction with the vast endowments and privileges of an establishment, without creating within the realm a power external and most dangerous to the state.

The charter proceeds to deal with the abuses of the feudal system, or, to speak more properly, of the system of tenures; such as the exaction of arbitrary sums by way of reliefs on the demise of the fief, and of unreasonable amounts for the three lawful aids, those of knighting the lord, marrying his eldest daughter, and ransoming him from captivity; the levying of excessive fines for breach of feudal obligation; waste of the estates of wards; the sale of minor heirs, or of heiresses, in marriages of disparagement; the practice of forcing dowagers to marry any man of the lord's choice.

Of more permanent importance are the articles which secure to London and all the other cities and ports, now



lifting their heads above feudalism, the enjoyment of their ancient liberties and customs by land and water; ordain the uniformity of weights and measures, vital to trade; and permit foreign merchants to come into England, dwell in it, travel over it, and depart from it free from royal extortion, while, should war break out between their country and England, they are to be attached without hurt to their persons or goods. The king had no doubt fleeced the foreign merchants; in merely discouraging them he would have had popular jealousy on his side.

London is treated on the footing of the tenants-in-chief and exempted from any scutage or aid not imposed by the national council, besides being assured of all her municipal privileges and liberties. Other cities and boroughs, towns and ports are secured in their ancient customs and liberties, saving which, and the special charters which some of them had obtained, they would be left under the dominion of their lords, and subject to tallage, though, as we have seen, they were in the course of emancipation.

No clauses would be more welcome than those which limit the hateful domain of forest law, disafforest the enclosures of John's reign, and ordain that an inquest shall be held on forest usage by twelve sworn knights in each district. Such a reform would be doubly blest, since it would partly extinguish the source, not only of oppression, but of the lawlessness which oppression provoked, and which, as the Robin Hood ballads, though of later date, show, commended itself as irregular heroism to the heart of the people.

The main political clauses are those which provide for the calling of the national council and forbid scutages or



aids, that is any feudal impost save the regular aids, to be levied without its consent. The national council, besides the heads of the church, archbishops, bishops, and mitred abbots, comprised the orders of the greater and the lesser barons. The greater barons were the principal tenants-in-chief of the crown, holders of large fiefs, who led their own retainers to the field. The lesser barons were the smaller landowners, who were called to military service by the sheriff. The great barons were to be summoned personally to the council by royal writ, as the members of the House of Lords are summoned now. The lesser barons were to be summoned collectively through the sheriff. Forms, which we may now call parliamentary, were to be observed. It is provided that the summons shall be issued forty days beforehand, that it shall specify the time, the place, the subjects of deliberation, and that members absent after due notice shall be bound by the determination of those present; an enactment necessary in a time when the representative system was in its infancy, and when the notion, embodied in the Polish *Liberum Veto*, might still linger, that a freeman could be bound only by his individual consent. This assembly was not a parliament; none sat in it but the tenants-in-chief. Yet it distinctly marks the ground on which parliament was to be built. The clauses relating to the national council were afterwards dropped, probably because the party which framed the Charter had come into power and did not wish to tie its own hands. Yet the principles lived and prevailed.

With the clauses prohibiting arbitrary taxation may be coupled that restraining the royal right of purveyance, which amounted to arbitrary taxation in kind, and enact-

ing that for all things taken by the king's officers for his use duè payment shall be made. Under the same head may be placed the clauses forbidding the oppressive exaction of debts due to the Jews, those hated and hapless instruments of royal extortion.

Of all the articles the most famous, and perhaps the most important, are those which secure personal liberty, open trial by peers and unbought justice; "No freeman shall be arrested, imprisoned, dispossessed, outlawed, banished, or hurt in his person or his property, nor will we in person or through our officers lay hands upon him save by the lawful judgment of his peers, or the law of the land." "We will to no one sell, deny, or delay right or justice." The first clause affirms the right of trial by jury. These principles England, though her government was not always true to them in practice, steadfastly cherished, while arbitrary tribunals, arbitrary imprisonments, arbitrary punishments were the general rule in Europe. An almost necessary adjunct of open trial by peers, as has been already said, was the renunciation, so far as law prevailed, of judicial torture. For the assurance of justice there are a number of subsidiary provisions. The court of common pleas for suits between subject and subject is not to follow the king in his progress through the realm, but to be held in a fixed place for the convenience of suitors. Cases of inheritance or presentation to benefices are to be tried within the county, and two justices are to be sent into each county four times a year to hold the trials, with four knights of the county chosen for the purpose. This puts the institution of itinerant justices on the footing of law. Fines are to be proportioned to the offence.

A great advance in judicature is made by forbidding

sheriffs, coroners of the king, or constables of castles, with their private dungeons, to hold pleas of the crown, that is, to try serious crimes, which are thereby made over to the judges of the land. Against arbitrary imprisonment special security is provided by the enactment that the writ of inquest of life or limb should be given without price and never denied, the writ being a precursor of that of Habeas Corpus. Only to freemen these securities are given. As yet the villain was not free, but by fixity of tenure he was entering on the road to freedom.

Personal liberty, again, was enlarged by the clause permitting any one to leave the kingdom and return at will unless in case of war, when he may be restrained for some short space, and for the good of the kingdom. The only exceptions are prisoners, outlaws, and alien enemies. It may be surmised that an ecclesiastical hand was here at work removing a legal barrier against the resort for judgment to Rome.

What the king grants to his tenants-in-chief they are bound to grant to their under-tenants. Nor does the Charter stop at these, or at the burghers and the merchants. It does something even for the villain, including him in the provisions against excessive fines, and providing that his instruments of husbandry shall in all cases be spared. This broad national character of the Charter and the extension of its benefits to all interests, even to those of the lowest class, may fairly be ascribed to the influence of Archbishop Langton, a man of high intelligence and the head of an order both better educated than the barons and more in sympathy with the people, from whose rank many of its members and of its chiefs were drawn.



The clauses providing for restitution to the Welsh, and for restoration of hostages and assurances of liberties and rights to the king of Scots, show that the barons had been fain to seek aid in those sinister quarters where English rebellion was always sure to find support. They might have pleaded that foreign mercenaries formed the army of the tyrant. The clause in favour of the king of Scots might be quoted as implying a connection on his part to the English monarchy which his own attitude towards John seems to suggest.

How was the Charter to be upheld? How was the king, if he disregarded it, to be coerced? In these days it would be done by cutting off the supplies. In those days it could be done only by authorized force. Twenty-five barons were appointed conservators of the Charter, and the king was made to authorize them together with the whole country (*communa totius terræ*), in case of his default and contumacy, to resort to force, take his castles, and make war upon him, saving only his own person and those of his queen and children, till he did right, when they were to return to their allegiance. The pregnant phrase *communa totius terræ* denotes the thoroughly national character of the movement, proclaims the conscious unity of the nation, and shows that race had finally given way to country, and that the barons, once foreign conquerors and oppressors, could now act as leaders of the whole people. The great Charter was published through the whole realm and all freemen were sworn to its observance.

When the conference broke up, John, half deposed by the establishment of the conservators, was left almost alone. Outwardly he was fair-spoken and compliant,



though he cunningly delayed the restitution of castles and estates; inwardly he cursed his day and brooded over plans of counter-revolution and revenge. His intentions pierced through the disguise of his professions, and the barons thought it wise to transfer a tournament which, with the light spirit characteristic, even in serious action, of a nation's youth, they had proclaimed in honour of their success, from Stamford to the neighbourhood of the capital, and to throw a strong garrison under William D'Albini into Rochester Castle, which commanded the approach to London on the south. Their suspicions were well founded. John, as the chronicler says, had resolved to smite his enemies at once with the spiritual and with the temporal sword. He had sent to Rome for papal support, to France and Flanders for mercenary bands.

1215 The spiritual sword was drawn at once by the pope, who condemned the Charter as an ungrateful outrage alike upon the king and upon the sovereign rights of the Holy See, annulled it, and forbade its observance under penalty of excommunication. Soon, to wield the temporal sword, bodies of mercenaries arrived from France and the Low Countries under Savary De Mauleon, Walter Buck, and other soldiers of fortune. Another horde, who were coming under Hugh De Boves, a leader noted for ferocity, with their wives and children, to take possession of the land, were wrecked, and their bodies were cast, to the joy of the people, on the coast. The king, now at the head of the army, laid siege to Rochester. The barons, who lay in London, made but a faint attempt to relieve the place, not so much, probably, because, as the chroniclers fancy, they were bewitched by the pleasures of the capital, as because they dared not with their insurrectionary levies

face better trained troops under experienced leaders in the field. Even in that age, when all freemen were more or less soldiers, raw levies could not stand against discipline and professional skill. After a gallant defence William D'Albini and his garrison surrendered; and John would have hanged them all, but for the intercession of Savary De Mauleon, whose trade was war, and who might not wish that his trade should be made too dangerous. The king now divided his forces into two bodies. One, under Salisbury, watched London, and swept the rich eastern counties; the other, under the king himself, marched through the midland and northern counties into Scotland, the king of which, Alexander II., had taken part with the barons, and had received the three northern counties as the price of his aid. Wherever the mercenary bands appeared, through part of England and the Lowlands of Scotland, havoc was let loose; castles, towns, and hamlets were given to the flames; the people, without distinction of profession, age, or sex, were hunted down and tortured for their ransom; the devastation and horrors of the anarchy in the reign of Stephen were renewed. The barons held London, the strength of which set the freebooters at defiance; but they could make no stand against the desolating torrent of invasion which swept the open field. The pope meanwhile was holding a great council, at which he appeared in the glory of his universal dominion over East and West, and the chief object of which was to set forward a crusade, for which he reckoned on the resources of his rich English fief. He had already excommunicated the rebels generally; he now excommunicated by name the leading barons, the citizens of London, and Master Gervase Hobrigge, a

prominent ecclesiastic, the leader, it seems, of the patriot party among the citizens. The city was laid under an interdict; but the interdict was disregarded and the services were performed by the city clergy as before, proof that the spiritual sword wielded for the objects of a temporal policy was beginning to lose its edge in commercial London as it did in commercial Venice. Stephen Langton, finding himself powerless to avert civil war, had left the kingdom. John would have detained him. But Pandulph solved the difficulty by suspending him for his refusal to excommunicate the patriots. He presented himself, nevertheless, at Rome among the other prelates of Christendom; but Innocent sat in judgment with the cardinals upon the old friend and fellow-student who had so grievously disappointed his hopes, confirmed the sentence of suspension, and detained the suspended arch-  
1215 bishop at Rome. He also set aside the election of Simon Langton, the brother of Stephen, who had been elected to the archbishopric of York, and forced the chapter to elect in his room Walter De Grey, Bishop of Worcester, the nephew of the late Bishop of Norwich, who, having before paid the king a heavy sum to be made chancellor, now paid the pope a heavier to be made archbishop.

The barons in despair turned their eyes to France, as at a later day British patriots, despairing of resistance to the Stuart tyrant and his troops, turned their eyes to Holland. Philip Augustus had not failed to mark the opening presented to his ambition by the course of affairs in England. His movements from the first had given ground for uneasiness to John, at whose prayer the pope had solemnly warned Philip against abetting the rebel cause. Philip, taught by bitter experience, cowered



before the papal wrath. But when the barons offered the crown of England to his son Louis, who was married to Blanche of Castile, a granddaughter of Henry II., he permitted the prince to grasp the prize. With a large army Louis landed at Sandwich, entered London amidst the jubilations of the rescued city, and, being led in procession to St. Paul's, received homage and took the covenants usually taken by kings on their accession. Simon Langton, brother of the archbishop, was made chancellor, and preached on the occasion. In his manifesto Louis denounced John as incapable of reigning, because he had been attainted of felony for the murder of Arthur in the court of his French peers, an argument which could apply only to the French fiefs. He set up the hereditary claim of his wife Blanche, who, even supposing John and John's son to be set aside, was far removed from the next place in the succession. His claim really rested, like that of Dutch William at a later day, on his election by the nation in place of a deposed tyrant. Innocent, in arguing the case, allowed it to appear that in his eyes anointed kings were above the law of murder and might by virtue of their office take life, as John had taken the life of Arthur, without a trial. The tide ran rapidly in favour of the French prince. County after county came over to him. The king of Scots and the princes of Wales acknowledged him. John was deserted even by some of his foreign soldiers and by his bastard brother and stout partisan, Salisbury.

John had still some strong castles in his hands and some soldiers of mark, among others the redoubtable Fawkes de Breaté, a Norman adventurer, on his side. He was still energetically protected by his suzerain the pope, who, in



the person of his legate Gualo, was with the king, and launched against Louis and all his partisans excommunications which the legate published on the spot. But at  
1216 this time Innocent suddenly died, and his death seemed to give the last blow to the royalist cause. The barons, under the Earl of Nevers, besieged Windsor. Louis sat down before Dover, where, though he had with him his father's famous engine called "Malvoisin," he was kept out of range by the stout-hearted and staunchly royalist governor Hubert De Burgh, and was at last compelled to turn the siege into a blockade. John meanwhile moved about ravaging the estates of his enemies. An attempt was made to surprise him at Cambridge by a forced march, but he escaped. He was, however, pushed northward. Soon afterwards he lost his waggon and sumpter train with his treasure and regalia in the Wash. The  
1216 same night, of chagrin, of surfeit, or of poison, he died in the castle of Newark. His mercenaries, who seem to have remained faithful to their dead master, escorted his corpse across the country to the church of Worcester, where, according to his own last wish, it was buried. Fontevraud, the burial-place of his house, belonged to his house no more.

## CHAPTER VII

### HENRY III

BORN 1207; SUCCEEDED 1216; DIED 1272

WE are coming to the birth of parliament. Its natal hour is the zenith of the catholic middle age. In spite of ecclesiastical corruption and disorder, religious faith is still strong. Its symbols, cathedrals and churches, rise, full of the poetry of religion, and not less transcendent as works of art than Greek sculpture, the Homeric poems, or the drama of Shakespeare. They rise above cities of houses little better than hovels, as the aspirations of the saints soar above the things of earth. Men are still leaving all they have, the castle hall, the lady's bower, the joys of the chase, to die on Syrian battle-fields for the Holy Sepulchre. Of genuine chivalry, which had in it a religious element, this is the hour. If on the papal throne sits grasping ambition, if the Roman Curia is venal, if in the palaces of bishops are often found worldliness, sycophancy, and corruption, if the regular clergy often live in concubinage and are gross, the fire of religious enthusiasm glows afresh in the houses of the new mendicant orders, Dominican and Franciscan; the first destined to a dreadful fame as the agent of persecution, but eloquent in preaching; the second presenting to the adoration of the people the union of asceticism with evangelical ecstasy in Francis

of Assisi. Over the fiercest religion has power. Longsword, Earl of Salisbury, than whom no soldier was fiercer, is comforted in peril at sea by the appearance of a bright light and a beautiful woman, the Blessed Virgin, above the mast. On the day which made him a belted knight he had given a taper to the Mother of God. On his death-bed he sends for the bishop, and when the bishop enters bearing the body of the Lord, the dying man fastens a cord round his own neck in token that he is a felon before God, casts himself on the floor with tears and sobs, and refuses to be raised till the sacrament has restored him to divine allegiance. His body is carried to the grave in a storm, but as the tapers burn on, all are sure that the terrible earl is numbered with the sons of light. The patriots of the Great Charter called themselves the army of God and of Holy Church and gave their movement the character of a crusade. Public character felt the elevating influence of piety. The counterparts of William Marshall and his compeers, or of the patriots who are now coming on the scene, we shall hardly see till we come to Sir John Eliot and the Puritan leaders of the Long Parliament.

Commerce and maritime life have been awakening. The crusades have stimulated them by opening intercourse with the east. There is a brisk export trade in Cistercian wool. London, Bristol, the Cinque Ports, are active and thriving. The Hanseatic League is formed, and plants its factory in London, though the factory is almost a fortress in the midst of a population jealous of the strangers and their gains. Commercial intercourse with the free cities of Italy and Germany brings the trader into contact with political freedom. The Cinque

Ports, specially charged with the defence of the country by sea, display their force and spirit in the political field.

The awakening of municipal life has likewise gone on. From being clusters of dwellings, forming, like the cottage or hamlet, part of the domain of the king or local lord, and taxable at his will, the cities and towns are growing into little commonwealths. Of this the chief instrument continues to be the mercantile guild, with its ties of mutual benevolence, its monopolies, apprenticeships, common festivals, patron saint and religious services, of which the London companies, with their wealth and their guild halls, are the sumptuous survivals. One after another towns have been compounding for their payments and slipping their necks out of the yoke of their lord, whether king, baron, or abbot. London is still at their head. Her liberties were an article in the Great Charter. Her Mayor, Serlo, the mercer, had been one of its conservators. Her wealth and her military force make her a great power, and of course a democratic power, in the state.

This is the age of universities. At Oxford is gathered, under a guild of teachers, a swarm of youths thirsting for the knowledge which they fancy is power, quick-witted, inflammable, turbulent, drawn most of them from the poorer classes, some probably from that of serfs, democratic, therefore, and full of social and political, as well as intellectual, unrest. Scholastic philosophy sharpens their wits and gives them a habit of speculation and of dealing with first principles which is not in the political or social sphere, as it is in philosophy, shackled by the dogmatic creed of the church. In the political poems, which emanate probably from this quarter, we find the



principles of constitutional monarchy laid down with surprising clearness; "Let the community of the realm be consulted, and let us know the mind of the nation at large, which best understands its own laws." "What restraint does the law lay on kings? Restraint from sullying themselves by departure from the law of right. This limitation is not servitude; it is the enhancement of true majesty." Such words might have been uttered by Eliot or Pym. The Franciscans, however, who had set out by renouncing, like their angelic and child-like founder, the wisdom as well as the pomp of the world, presently began to see that knowledge as well as riches might be lawfully acquired and used for the advancement of religion. They entered the universities, occupied the chairs of the teachers, aspired to the control of the system, and by their papal principles impaired academical freedom. To counteract their influence, Walter De Merton founded his secular college, the first of the line.

The chronicler of the age, Matthew Paris, is a reformer and a liberal. The thrilling vindication of the elective system which he puts into the mouth of the archbishop who crowned John is probably the expression of his own sentiments; "Hearken, all present here! Know that no man has any right to succeed to the kingdom unless he be chosen of the whole realm, after invocation of the Holy Spirit's grace, and unless he be manifestly thereunto called by the pre-eminence of his character and conversation, after the pattern of Saul, the first anointed king whom God set over His people, although he was not of royal race, as after him He set David; the first being chosen for energy and fitness for the royal dignity, the second for humility and holiness; that so he

who surpassed other men in the realm in vigour should also be preferred before them in authority and power. But, indeed, if there be one of the dead king's race who excelleth, that one should be the more promptly and willingly chosen." Bracton, the law writer, at the end of this reign, lays it down that the king must be subject to God and the law; for the law makes him king. He puts above the king, not only God and the law by which he is made king, but his court of earls and barons, who are his associates and ought to bridle him if he is without the bridle of the law. These medieval philosophers seem to have grasped the principle that the aim should be not mere liberty, but the submission of all to law. The passage of Bracton is cited by Milton in his Defence of the People of England for the deposition of Charles I. Thus the two great groups of English Liberals stretch out their hands across the ages to each other.

With the tyrant died hatred of the tyranny. Henry, John's heir, was only nine years old. But the Earl of 1216  
Pembroke set the boy upon his father's throne, had him crowned with a plain circlet of gold, in lieu of the royal crown, which was not within reach, and, to show that all was changed, republished the Great Charter in his name. The great political clauses regulating the calling of the common council, and requiring its assent to taxation, were provisionally omitted for reasons unassigned, perhaps because they seemed to trench too much on the royal authority, which was now in better hands; but the spirit of the clauses lived. The forest clauses were improved 1217  
and thrown into a separate Charter of Forests, coupled with the Great Charter itself, and hardly less prized by the people. The heart of the nation turned from

the French pretender to the native heir. Louis, moreover, was suspected of having formed sinister designs. His English partisans fell away. His star waned; he was beaten in a battle which the victors in mockery  
1217 called the Fair of Lincoln. A French fleet bringing him  
1217 reinforcements under the corsair Eustace the Monk was  
defeated and destroyed by a Cinque Ports fleet, far inferior in number, under Hubert De Burgh, warden of Dover Castle, whose bold and masterly tactics marked him as a precursor of Blake and Nelson. Louis retired from England, Pembroke's statesmanship making a golden  
1217 bridge for his retreat. The treaty of Lambeth secured to the patriot barons that for which they had fought, and included a general amnesty. The good sense and moderation of its framers put to shame the implacable and blood-thirsty violence which in times more civilized has disgraced the combatants in civil war.

There was a long minority. During the first part of  
1216 it Pembroke was regent. His election by the barons was the first instance of the creation of a regency by the national council. At the regent's side was Gualo, the legate of the pope, whose ward, by John's surrender, the young king was. Of Innocent III. and his domination the world was rid. Gualo did well. Stephen Langton also, restored to his archbishopric, upheld to the end of his life the cause of order, freedom, and the Charter. Power afterwards passed into the hands of Hubert De Burgh, the victor of Dover, a stalwart and patriotic man. The regency had to contend with an evil element in the royalist party, the relic of John's council of iniquity, notably with the captain of his mercenaries, Fawkes De Breauté, who set himself above



the law and commenced a reign of violence. Stephen 1224  
Langton helping with bell, book, and candle, the brigand  
was crushed and driven from the realm. The siege of  
his fortress with battering engines, sapping machines,  
and movable towers, seems to show that the military  
engineer had brought back lessons from the crusades,  
that the attack was now gaining upon the defence, and  
the strongholds of feudalism were losing their strength.  
De Burgh appears to have been an honest minister, and  
faithful to the crown; but he was not one of the nobil-  
ity, and partly perhaps on that account, incurred jeal-  
ously and became unpopular; hatred of him taking the  
usual form of charges of embezzlement, which, when the  
accounts of government were not public, could always  
be circulated and believed. He had an unscrupulous  
rival in Peter Des Roches, Bishop of Winchester and  
chief minister, a soldier turned churchman for prefer-  
ment, and, as satire said, quick at accounts, slow at the  
Gospel, and fonder of lucre than of Luke. While the  
minority lasted, the council carried on the government,  
thus acquiring stability and importance approaching those  
of the privy council, which in later times was, under the  
king, the government of the realm. It has been re-  
marked that the political conflict of this reign assumes  
largely the character of an effort to put better coun-  
sellors about the king, thus in some measure anticipating  
the cabinet system.

The character of Henry III. as he grew up proved  
not unlike that of Edward the Confessor, whom he  
adored and had been disposed to imitate in false chas-  
tity, though happily he thought better of it and left a  
memorable son. He was well disposed, amiable, and



affectionate. His domestic life was pure and a good example to his people. Physically he showed on the battlefield that he was not wanting in courage. Morally he was weak. His heart, it was said, was as easily moulded as wax, and those who set themselves to mould it were too likely to be evil. From weakness more than from perfidy he was faithless. He was very superstitious, devoted to the papacy, addicted to relics, and never so much himself as when he was rapturously carrying in procession the vial of the Holy Blood. The best part of him was his taste for church art, which he showed in rebuilding Westminster Abbey. While he was feeble, he was fond of his prerogative, and provoked the patriotic effort which developed the constitution.

Henry's first sin was in giving his waxen heart to be moulded by the wily Poitevin, Peter Des Roches, and not only discarding but ungratefully persecuting Hubert De Burgh, on whom, when he was dragged from sanctuary by the king's soldiery, a patriot blacksmith is said to have refused to fasten fetters. Des Roches, besides his character, was an alien and had Poitevin, not English, notions of government. He brought other aliens with him to the pillage of England. Afterwards came two fresh flights, the kindred of Henry's queen Eleanor of Provence, and the children of his mother Isabel, nicknamed from her mischief-making Jezebel, by her second husband the Count of La Marche. To these aliens England was a mine. On them were showered favours, honours, wealth, from a treasury running low. To them were given in marriage rich wards of the crown. To them were consigned royal castles. Their inroad was almost a second French invasion. Besides the influence of kin-

ship, to which Henry seems to have been fatuously open, their manners would be more courtly than those of the islanders, their notions of royalty would be higher, and they would be bound, with all their fortresses and estates, to the royal interest. They behaved as if they were in a conquered country. William De Valence, castellan of Hertford, killed the deer in the Bishop of Ely's park, then broke into the episcopal cellar, made his grooms drunk with the wine, and let the rest run out. Boniface of Savoy, the queen's uncle, a more than worldly youth, was thrust into the archbishopric of Canterbury. For thirteen years he mingled in the wars and intrigues of the continent, at the same time drawing the revenues of his neglected see. Intruding himself as Visitor into the convent of St. Bartholomew, and finding his authority questioned, though he had been received with profound reverence, he fell on the grey-haired prior and beat him brutally with his fists, while his train, following his example, beat the monks. Complaining to the king, the victims were dismissed with a scoff. Queen Eleanor made herself so unpopular with the Londoners by her bearing and her exactions, that in the end they pelted her as she passed along the river.

1241

A justiciar as regent was no longer so much needed, the king being regularly resident in England. But instead of appointing other great officers of state, who as national functionaries would have been restraints upon his personal rule, Henry, full of high monarchical notions, chose, all unfit for government as he was, to carry on the administration by himself. If he took advice, it was that of a clerical adventurer like John Mansel, who accumulated a mass of church preferment in that

evil service. To get the responsible offices of state duly filled by men in whom the nation had confidence was consequently one of the objects of reformers during this reign.

On his favourites and on his taste for church art and for pageantry Henry's revenues were lavished. Further outlay he incurred by wars in Gascony, unhappily retained when Normandy and Anjou were lost, which were misconducted and brought him shame. The domain of the crown had by this time been reduced by improvident grants, so that it was impossible for the king to live, as the phrase of reformers in after times ran, "of his own." Disgraced and despised, if not detested, Henry was always coming for money to the parliament, by which momentous name the assembly of prelates and barons was already called. Failing to obtain regular aids, he practised irregular extortion, especially on London, upon whose charter of liberties he trampled with his tallages, and whose citizens he forced to shut up their shops and bring their goods in stormy weather to a fair at Westminster, that he, as lord of the fair-ground, might reap the dues. Deeply, too, he dipped with his royal hand into the coffers of the Jews, which were then replenished by extortion from the people. By constant recourse to the council of the realm for supplies, the king could not help impressing upon it the character of holder of the national purse, and thus suggesting the exaction of redress of grievances by denial of supplies.

By natural bent the king was papal, and he was always in need of the pope's dispensing power to release him from his oaths. The papacy, on the other hand, wanted



money for its war of supremacy with the Emperor, who was the embodiment of the lay power. That struggle was still raging, and nothing less than the supremacy was at stake; compromise or adjustment was out of the question. Popes were bellowing their loudest in bad Latin; emperors were responding in the same strain. The successor of St. Peter saluted the heir of the Cæsars as the great dragon and the anti-Christ. The heir of the Cæsars saluted the successor of St. Peter as the beast of blasphemy and the king of plagues. The Peter of the Vatican warred, as usual, with the sword which the Peter of the Gospel had been commanded to put up, by instigating rebellion and kindling war. With the connivance of the king, the pope wrung, under various pretexts, vast sums from the English clergy, whom he treated as his vassals and his tributaries, importing the idea of feudal sovereignty, then dominant, into ecclesiastical headship, while they, having no Great Charter, were without protection against their tyrant's demands. He further, under cover of providing fit persons for succession to benefices, grasped for his Italians a large share of the patronage of the English church. Three hundred benefices at one swoop he demanded for his creatures, who were to draw the revenues in Italy. Appeals and citations to the Roman Curia, notoriously corrupt and venal, were multiplied. Pillaged at once by pope, king, and alien favourites, England groaned aloud. The extortions of the pope would be felt the more because to the English people the Italian papacy was thoroughly a foreign power. Dearths, due to local failure of harvests, there being no good means of distribution, occurring ever and anon in what some



have regarded as the golden age of labour, added to the discontent.

Against the ecclesiastical abuses uprose in the early part of the reign Edmund, Archbishop of Canterbury, a saint of the type of Anselm, but far weaker, who, after a vain struggle, sinking into despair, went to end his days abroad ; uprose with far more force Grosseteste, Bishop of Lincoln and chancellor of the university of Oxford, the intellectual light and master spirit of his age, orthodox, papal, a friend of the friars, but a resolute enemy and a bold denouncer, even in the pope's teeth, of ecclesiastical abuse, with Walter De Cantelupe, the staunchly patriot Bishop of Worcester, at his side ; uprose in a fitful and feeble way the national clergy, patriotic for the most part as well as opposed to papal spoliation of their order, but lacking courage to beard the pope, especially when he had the king on his side ; uprose the baronage, which addressed to the pope a strong, but ineffectual protest ; uprose a rougher champion, Sir Robert Twenge, a patron of a living, who, having been robbed of his presentation, founded a secret society which did popular justice on the Italians and the agencies of rapine. Oxford students, too, showed their temper to the papal legate, Otho, when he visited their city. His brother, who, to guard him from poison, acted as his cook, having thrown scalding broth on one of their number while they were crowding round the legate's quarters, they assaulted the legate's train with  
1237 bows and arrows, drove him from the city, and underwent excommunication for the riot. Doctrinal revolt as yet there was none, but the revolt against papal extortion was the faint dawn of the Reformation. Papal

usurpation, however, was still at its zenith, and its two new bodies of militia, the Dominicans and the Franciscans, well served the power which had given them birth.

Against the political and fiscal abuses the barons protested in the council of the realm. Taking advantage of the king's need, they forced him again and again to renew the Great Charter. This he did with the most awful forms which the church could devise to bind his faith, knowing that whatever was bound, however tightly, the pope could loose. Henry III. had not like his father a body of mercenaries to make him independent of political support. He could not afford to pay for it, if he desired. He had to manage his parliament, by which name the national council may henceforth be called, and the parliament becomes more at once of a tax-granting and a representative body, delegates of the knights being summoned on occasion. A leader only was wanting to the opposition. The Earl of Chester stood forth, but he soon died. Richard Marshall, son of the great regent, took arms with the sinister aid of the marauding Welsh, but in the end he was driven or decoyed to Ireland and was there done to death. Richard, Earl of Cornwall, the king's brother, was much wiser than the king, as well as powerful from his immense wealth, and he was on the side of reform. But for strong measures he stood too near the throne, and his wealth having elected him King of the Romans, his thoughts were turned to a foreign field.

At last came both the hour and the man. The hour came when the silly king, having swallowed the pope's bait and accepted for his younger son Edmund the kingdom of Sicily, of which the pope called himself suzerain,

in pursuit of his chimera got desperately into the pope's debt, pawned his kingdom and applied to his barons for money. The man came in Simon De Montfort, a foreigner, who had inherited the English earldom of Leicester, and to whom, probably to bring that earldom with the other great places into the royal family, the king had given his sister Eleanor in marriage. Simon De Montfort was an adventurer, the son of that most hateful of all adventurers who led, under Innocent III., the crusade of extermination against the Albigenses. Whether he was himself more adventurer or patriot, who, through the mist of ages, can discern? He was the friend of Grosseteste and of the good and learned Adam De Marisco. He was highly religious and had the clergy, the lower clergy at least, on his side. He had great influence over the young. He had been sent as governor to Gascony; had apparently acted well; but had been embroiled, as it was easy to be, with the Gascons, and afterwards with the king, who suspected his ambition and avowed that he feared him more than thunder. He now stood forth as leader of the opposition in conjunction with the Earl of Gloucester, an English magnate over whom he had gained influence.

1258 To a parliament at Oxford, called by the royalists the Mad Parliament, the barons came armed, with their retainers. They preferred a long list of grievances; bestowal on foreigners of the hands of English heiresses and of the custody of castles, abuse of feudal service, abuse of escheats, abuse of purveyance, vexatious fines for non-attendance at the courts of the itinerant justices or the sheriff's court, illegal castle-building, use of the Jews for the purposes of extortion. They forced the king to swear



to an agreement called the Provisions of Oxford, by which 1258  
in effect power was taken from him for the time and vested  
in a baronial board of reform authorized to appoint the  
officers of state and the sheriffs, hold the royal castles,  
rid the realm of the foreigners, and put an end to abuses  
both in church and state. Three parliaments were to be  
held every year. The king, restraint of whom was the  
object, was to be assisted, that is, controlled, by a stand-  
ing council of fifteen. The Provisions were proclaimed  
in English as well as in French and Latin; a proof that  
the barons appealed to the people at large. Ostensibly  
the board was composed in equal parts of royalists and  
patriots; practically the balance at once inclined to the  
patriot side. But, as in all *juntos*, jealousies and dissen-  
sions soon set in. De Montfort's towering ascendancy  
gave umbrage to the Earl of Gloucester, and probably not  
to him alone. Oligarchical reform moved slowly. So  
thought the knights or bachelors, the class of land-own-  
ing gentry below the barons, now growing in strength,  
and trained in local administration, who came forward  
with a protest. There is room to surmise that Gloucester  
was for baronial, De Montfort for popular, reform. The  
king began to intrigue and seized the Tower. He got  
from Pope Alexander a dispensation from his oath, once  
more showing how far Rome was the friend of liberty.  
The king's son Edward, who now comes upon the scene,  
and who had also sworn to the Provisions, refused to  
break his own oath, and tried to keep his father in the  
path of honour, true thus early to the motto of his life,  
engraven on his tomb, *Pactum Serva*. There was an out-  
break of civil war. Then there was an appeal to the king 1264  
of France, St. Louis. St. Louis was a saint of righteous-



ness as well as of religion, but he was a king and a Frenchman. His award annulled the Provisions of Oxford and restored to Henry all his regal powers, including the nomination of the officers of state, without exclusion of foreigners, and all his castles. Only the charters were saved. It was not likely that this award would be accepted. De Montfort and his party seem to have treated it as self-contradictory and, therefore, null, the Provisions having been in accordance with the charters. London and the Cinque Ports appear never to have consented to the arbitration. Civil war followed. With the king were most of the magnates, both lay and ecclesiastical, though the young De Clare, the new Earl of Gloucester, felt De Montfort's influence on youth; while two bishops, Thomas and Walter De Cantelupe, remained true to the patriot cause. With De Montfort were the lesser barons, the knights or gentry, London, the Cinque Ports, always high-hearted and boisterous, and the cities generally, the body of the clergy, the universities, and the mass of the people. It is thought not unlikely that the Walter De Weshyngton in his camp was an ancestor of Washington.

There were some minor actions and sieges, the most notable incident in which was the appearance of a body of Oxford students under their banner against the king at Northampton. Then the war gathered to a head at 1264 Lewes. The castle and priory at Lewes were occupied by the royal army under the king, his son Edward, and his brother Richard, King of the Romans, now on his side. Upon them moved De Montfort from London, the citizens of which were in force under his banner. A last bid for peace, made through the bishops of Worcester and London, failed, and both sides appealed to the sword. The

battle was a medieval prototype of the battles between Cavalier and Puritan at an after day. By the royalists the night before was spent in revelry and debauchery, which even profaned the altar. De Montfort, by assumption of the cross, prayer, and confession, gave his soldiers the character of crusaders. On the point of going into action they all fell on the ground in prayer, stretching out their arms in the form of a cross. Young Edward, hot as Rupert, charged headlong on the Londoners, whom he longed to punish for insulting and pelting his mother, broke them, and pursued them with great slaughter far over the downs. He returned from the pursuit, like Rupert, to find that in his absence the day had been lost. De Montfort, an experienced commander, like Cromwell, with his men well in hand, had beaten the main body of the royal army and put it to flight, many a royalist being swallowed up with his charger in the morass. The king, after fighting hard, was shut up in the priory. His brother, Earl Richard, had fled and had been captured, amid the jeers of his enemies, in a wind-mill. Edward, after a vain reconnoissance, found that there was nothing for it but surrender. A capitulation, called the Mise of Lewes, followed; the Provisions of Oxford were confirmed, and Henry was compelled to accept a constitution binding him to govern by the advice of a council of nine native Englishmen, which would have made him a puppet king.

Under the auspices of De Montfort a parliament was called, to which were summoned, besides barons and prelates, four knights from each shire. That assembly put the government into the hands of nine councillors by whom the king was to be guided, and who were to ap- 1265

point the great officers of state. This was a veiled kingship of De Montfort. The royalist party was still alive and active, and the queen had got an army on foot in France, to meet which England was summoned to assemble in warlike array on Barham Down, while the papacy continued to launch its thunderbolts in aid of the king.

De Montfort threw himself on the nation. He had the bulk of it with him; while the body of the clergy, ground between pope and king, was for ecclesiastical independence and reform. He called a parliament to which, besides the few magnates of his party, some bishops, and a great body of the minor dignitaries of the church, were summoned two knights from each county and two burghers from each borough. Representation was not by any means a new thing. It was the natural and necessary expedient when the sense of any district or large body of people was to be taken, and had been used by preceding kings for the purpose both of assessment and of information. It entered into the constitution of the county court, to which the boroughs sent deputies. There was an example of it in the councils of the church. But representation of the people in parliament was new. De Montfort's parliament, however, if it was full, was not free, being confined to his partisans. Nor was it called for legislation, but to meet a constitutional crisis. The measure was revolutionary, and was not repeated for many years. Its importance was not felt at the time as it is felt now. Nevertheless, the child had been born; and though the father of the institution lived not to cherish it, a foster-father in the disguise of an enemy was at hand.

Such a state of things as a monarchy in abeyance with



an unavowed dictatorship could not last. The nation wanted a real king. De Montfort's elevation was sure to breed jealousies and discord. His sons grew insolent and affronted his one supporter among the high nobility, the Earl of Gloucester. The pope was always active on the side of his royal liegeman. Edward escaped from the captivity in which as a hostage he had been held, and gave the royalists a leader. He gave them a popular leader by pledging himself to the Earl of Gloucester to carry out the reforms. Civil war again broke out, and now Edward 1265 was a general. From the tower of Evesham Abbey, De Montfort, looking towards Kenilworth, whence he expected to see his son's force marching to his aid, saw instead the army of Edward, who had surprised the young De Montfort's army in its camp, marching to overwhelm him. He could not help paying a soldier's meed of praise to the order in which the foe came on. But he knew that all was over. "May the Lord," he said, "have mercy on our souls, for our bodies are in the enemy's power." He fell fighting like a lion, with one of his sons and his friends, who, though he had conjured them to save themselves, had refused to leave his side. His corpse was mutilated by the rage of the victors. But the people revered him as a saint, miracles were performed by his relics, and to him rose the hymn,

*Salve, Simon Montis Fortis,  
Totius flos militiæ!  
Pænas duras passus mortis,  
Protector gentis Angliæ!*

Restored royalty was at first bent on wreaking its vengeance by sweeping confiscations. This drove the disinherited to take up arms, and De Clare once more passed

to the side of opposition. But in the end, temperate counsels prevailed and brought about a settlement. No blood was shed on the scaffold. Nor, though heavy fines were imposed, were any estates ultimately confiscated except those of De Montfort and his sons. The king  
1267 ratified, formally at least, in the parliament of Marlborough, the chief reforms which had been sought by the patriot barons. Calm presently returned. The last of the storm was the murder of Henry, son of Richard, Earl of Cornwall, by the two surviving sons of De Montfort in  
1271 the church at Viterbo. All was so quiet that Edward felt at liberty to shake off the dust of civil strife and to gratify  
1270 at once his martial spirit and his piety by taking part in the last crusade. Old Henry ended his days in peace.  
1272 He would have been a good priest; he was a bad king. That he was a king instead of being a priest was not his fault. Edward, now thirty-three, was proclaimed, though  
1272 absent, without opposition. The days of doubtful succession and of an interruption of the king's peace were at an end.

## CHAPTER VIII

### EDWARD I

BORN 1239; SUCCEEDED 1272; DIED 1307

DE MONTFORT'S parliament was partisan, revolutionary, and transient. To make parliamentary government national, constitutional, and permanent there was needed a king liberal enough to desire partnership with his people, too strong to lose his authority thereby, magnanimous enough to embrace and perpetuate the offspring of revolution. He comes. Edward I. is the greatest ruler of the middle age. Louis IX. of France was more saint and crusader than ruler; Alphonso the Wise was more sage than ruler; Frederick II. was not so much a king of the middle age as a Voltairean autocrat born before his time, nor did his work endure.

The reign of Edward I. is an epoch in the history not of England only but of the world. He reigns now through the institutions to which he gave life over almost all European nations, in America, in Australia, in Japan. He will continue to reign, even if his special institutions should pass away, as the statesman who achieved a union of authority with national opinion.

The favourite saint of Henry III. was Edward the Confessor. After him he named his son. Happily for the land which his son was to govern, the resemblance ended with the name. The name, however, commended the new



king to the English people. In their minds it was identified with long-lost liberties and the good times of old. They fondly traced the new king's pedigree through Margaret, the queen of Malcolm Canmore, to the old Saxon line. Nor were they wrong in thinking that they had in Edward a thoroughly English king. If he spoke French it was not as a Norman; nor was it Norman French that he spoke; it was the French of Paris, the court language of those days as it was afterwards of the days of Louis XIV. He spoke English as well, and could speak it to the heart of his people. If he was a power in Europe, it was not because he unhappily held fiefs in southern France, but because he was a mighty king of England. If Europe respected him as an arbitrator, it was because his name as an English king stood high.

Edward's outward form has been well preserved to us. He was tall, strong, and deep-chested, with long legs to clip the saddle and lithe arms to wield the sword. The manly beauty of his face was marred only by a drooping eyelid. His hair was flaxen; it turned white, but did not fall, nor did his sight fail or his teeth decay. He had a slight impediment in his speech. To his character catholicism may point as its highest type of the secular kind. He was devout, loved the services of the church, practised religious retirement in holy seasons, gave freely to religious foundations. He was a good son to his weak father and to his unpopular mother; to his mother too good, for it was by his eagerness to avenge an insult offered to her that he threw away victory at Lewes. His domestic life was perfectly pure, as that of his father had been, and at his side was a wife whom he tenderly loved, from whom he was never willingly parted, who, while she

lived, perhaps softened what was stern in him and tempered what was fiery. She had gone with him to the crusade, and the story of her sucking the poison from his wound, though a fiction, might well have been true. The strong sense of good faith and honour expressed in his motto, *Pactum Serva*, was perhaps derived rather from feudal fealty than from the teachings of a church of casuistry and dispensations.

In youth Edward's temper had been violent, and strange stories had been told of its outbreaks by the De Montfort party. In manhood he was sometimes too fiery, yet placable. "Show him mercy?" he cried, when his pardon was sought for an offender; "I would show mercy to a dog if he sought my grace." Having been insulted across a stream, he spurs his horse into the water, regardless of its depth or the high bank, and forgives the man on the other side. He strikes an attendant in a rage, then fines himself for having done it. He puts a man who has highly offended him in prison, and sends an order that he shall be kindly and courteously treated, but without being allowed to know that the order for his being so treated comes from the king. Coming upon a band of outlaws, he singles out their gallant leader, engages him in combat, vanquishes him, and pardons him for the sake of his valour. There is nothing of the Grand Monarch about Edward I. His habits are simple; his dress is plain; after his coronation he never wears his crown. His magnificence is shown only on occasions of state. In war he exposes himself as a common soldier, and when, after a narrow escape from a missile, he is implored to be cautious, replies, "We have undertaken a just war in the name of the Lord, and we will not fear what man

can do unto us." On the night before battle he lies, like his soldiers, on the bare ground, with his horse tethered at his side. His horse kicks him and hurts him; yet he commands and wins the battle next day. When he is cut off with his train on the Welsh hills, and they bring him the last keg of wine, having reserved it for his use, he bids them hand it round to all who share his peril. The manners of his court appear to be frank and free. His ladies exact of him the playful forfeit on Easter Monday by hoisting him in his chair.

1272 At the time of his accession Edward was absent on his crusade. But he was at once acknowledged as king. The hereditary principle had taken firm root. Henceforth there is no accession charter, but only an improved coronation oath. There was no interruption of the king's peace. Two centuries later it will be held that the king never dies. Edward and St. Louis were the last of the crusaders and the best; they went, not to win kingdoms for themselves in Palestine, but to save the Holy Land. Throughout his life of toil Edward looks forward, not to rest, but to another crusade, in which his sword, instead of being drawn against Christians, should be once more drawn against the enemies of Christ. His heart was in the holy war. He will make no treaties with the infidels. If others do, he will stay with Fowin, his groom, and fight it out. He came home bearing in his body the effects of the assassin's poisoned dagger, which, however, his strong constitution threw off. The assassin, an emissary of a fanatical sect, he had slain on the spot; but he rebuked his attendants when they struck the corpse. On his way home he showed his prowess by unhorsing the redoubtable Count of Chalons, who had played him false in a tournament.



From a baronage heading resistance to royal misrule and encroachment the interest of political history passes to a king who is a minister of progress. Mere checks give birth to nothing. The king is still the regular motive power ; he alone can take in the situation and understand the need. To credit Edward with a political theory would be too much ; the days of political philosophy were not yet ; no one had yet thought of framing a constitution. But Edward had statesmanlike instincts and a policy. His policy was on the same lines as that of Henry II., but broader and more patriotic. For feudalism he aimed at substituting nationality ; for a polity of feudal tenures, a polity of national estates ; for feudal over-lordship, national monarchy ; for a feudal council of tenants-in-chief, a council of national estates represented in parliament. The nation so represented he meant to take into his councils. That " what concerned all ought to be approved of all, the law of righteousness so requiring, and that common dangers must be met by measures concerted in common," was his solemn declaration and the rule of his dealings with his subjects. At the same time, he meant to keep supreme power in his own hands, as the circumstances of a time in which there was little of enlightenment or of general aptitude for politics required. He had also in his mind the unification of the island ; and he moved in that direction when occasion served. The real founder of parliamentary government he was ; and, had he lived, or not been thwarted by the malice of fortune, he would in all probability have been the founder of British union. Having to deal as he had with mutinous nobles, anti-national ecclesiastics, and a people ignorant of the necessities of state, we cannot

wonder if he sometimes halted in his course of liberalism or even drew back, gave way to his heat of temper, and angrily grasping his sceptre did for a moment that which has exposed him, the founder of constitutional government, to the charge of clinging to arbitrary power.

From a conflict with revolution most kings have come out reactionists. Edward came out a reorganizer enlightened by experience. It seems, indeed, that something like the instrument used by De Montfort for the purpose of bringing national opinion to bear in his own favour had been at once adopted by his antagonist for the purpose of quenching the embers of civil war. Soon after his accession, at all events, Edward moved in this direction, seeking always to carry his people with him, and acting on his principle that in matters of common concernment there should be common counsels. He called inchoate and tentative parliaments; provincial parliaments; parliaments of particular interests, the commercial interest, for example; parliaments for particular objects, in one case for the purpose of giving publicity and solemnity to the trial of a state criminal. But in 1295 he called, for the general business of the kingdom, a true and essentially perfect parliament, the archetype of all parliaments to come, consisting of the three estates of the realm; the lords, temporal and spiritual, the bishops and mitred abbots being lords in right of their fiefs; the commons, represented by two knights elected by each county and two burghers elected by each borough; and the body of the clergy, represented by their elected proctors. This, afterwards confirmed, disciplined, and developed by centuries of interaction among its component forces, especially between the House of Commons and

the crown, is the institution which has extended itself over the civilized world; for even where, as in the United States and in France, the hereditary principle has been discarded, the essence of parliamentary government has been preserved. The three estates, lords, commons, and spirituality, are the three great contributory bodies or interests of the realm. It seemed at one time as if there might also be an estate of merchants taxable in its own way. Taxation was the chief original function of parliament as well as its key to power. For advice in government the council of magnates continues to exist, but with declining authority, since the holders of the purse could enforce attention to their advice.

Parliamentary government in England was not a solitary birth. National assemblies under the different names of Parliament, States General, Cortes, Diet, were elsewhere taking form. Nationality had become conscious; political life was awakening; great interests, notably that of commerce, were assuming a definite form; kings were learning to lean on the support of their people in their conflict with the nobility. Of all the seeds thus sown at the same time, why did one alone take root, spring up, and become a mighty tree, overshadowing the nations? Something was due to national character and to the circumstances under which national character is formed; not a little was due to the foster father by whom in its infancy the institution was tended. But the chief reason probably was the coalition in the Commons' House of the representatives of the knights and rural free-holders with those of the boroughs. The knights were the body of landed gentlemen, who, in the civil troubles of the last reign, had come forward to protest against the tardiness



and narrowness of oligarchical reform. Their class comprised the lesser barons of the Great Charter, who were summoned to council in a body through the sheriff, while the greater barons were summoned personally by the king's writ, though in all likelihood they rarely took advantage of the summons. The coalition was natural, because the knights of the shire and the burgesses in parliament were alike representatives, while the lords appeared in their own persons. Nor, in the happy absence of caste, could there fail to be many ties between the town and the neighbouring gentry, whose younger sons would find in the town employment and sometimes wives. Combination with the landed and military gentry, whose representatives were girt with the sword of knighthood, a form long kept up in the election of knights of the shire, gave to the representatives of the boroughs a leadership, a strength, and a confidence, which they would otherwise have lacked. In Spain, the free cities, unsupported in the Cortes by such an alliance, after a period of precocious liberty, sank under the despotism of Charles V. and Philip II. In France, where all the gentry were *noblesse* and formed an estate separate from the burghers or *Tiers État*, the States General succumbed to the absolute monarchy, and rose again in the form of the National Assembly only when the classes had been fused by the fire of revolution.

Knights of the shire were elected in the county court by the whole body of freeholders, the sheriff presiding and acting as returning officer. The burgesses were elected by their fellow burghers. In the counties freedom of election was, no doubt, modified as soon as the elections became important, by the influence of the sheriff,

who was appointed by the crown, and of the local magnates; in the boroughs it would be modified by the distribution of power among the burghers, which greatly varied, municipal government being in a state of growth and transition. Everywhere the process would be rough and rudimentary. Edward did not omit to enjoin freedom of election.

Thirty-seven counties and a hundred and sixty-six boroughs were represented in the parliament of 1295. In the boroughs were included all those of royal domain, and the principal among the rest; the number of boroughs being far greater in the better ordered and more commercial south than in the wilder north, exposed to the inroads of the Scotch. But the selection of the boroughs was now and long afterwards in the hands of the crown, which afterwards used the power for the purpose of packing the House of Commons. Hence partly came the arbitrary and anomalous distribution of borough representation which called for the Reform Bill of 1832.

The present constitution of the House of Lords, as well as the creation of the House of Commons, is traceable to this reign, and was no doubt connected with Edward's general policy of merging feudal distinctions in the nation. Tenancy-in-chief, as a title to a seat, was superseded by the king's writ, the hereditary right of the peer to which was at the same time established. Thus the House of Lords became what it now remains, a House of Peers summoned to the council of the nation by hereditary right, and owing their original creation to the crown. It is an aristocracy of hereditary duty and privilege rather than of birth. For mere birth, indeed, there seems in the times of the first Edward to have been com-

paratively little regard. One of the king's daughters married a commoner. All the children of peers have remained commoners, subject to the common law, though distinguished socially by titles of courtesy. The privilege of trial by their own order which the lords have enjoyed is but the general ordinance of the Great Charter that every man should be tried by his peers. Through this institution of the writ issued to the hereditary head of the house alone, England escaped a *noblesse*, the curse of France, Germany, and Spain. The only approach to a *noblesse* was the exclusive use of coats of arms and of crests by a military rather than a noble class, with the heraldry and the College of Heralds by which that distinction was preserved. The king, it appears, chose the barons who were to receive writs as he chose the boroughs which were to send members, so that he was the creator of the House of Lords.

In the plan of Edward's national assembly the clerical estate was included with the other two, sending its proctors to represent it as the counties sent their knights, the towns their burgesses. But it shook itself free; the clergy preferred to be an estate apart, with an allegiance divided between the king and the pope, taxing themselves separately if they were to be taxed at all. Thus was born the clerical Convocation, with its two houses, one of bishops, the other of the lower clergy, which, when the order lost the privilege of taxing itself and became subject to the taxing power of parliament, sank into insignificance; the result being a political ostracism of the clergy, who as members of a separate estate were excluded from the House of Commons. Ecclesiastical interests, however, were well represented by the bishops



and mitred abbots who had seats in the House of Lords, not as heads of the church, but as great feudatories and counsellors of the realm, balancing the lay element in number. Churchmen, also, thanks to their superior education, their superior aptitude for the business of peace, and their greater devotion to the crown, continued to be preferred to the high offices of state. Thus the church had her full share of power and was kept at the same time in political union with the realm. The arch-diocese of York having asserted its independence of the arch-diocese of Canterbury, each had its own convocation, and the severance crippled the action of the church.

Outside the national polity still were the peasantry or serfs, as in the sequel will be seen. Nor is it likely that the common craftsmen of the towns would be allowed by the burgher oligarchy much influence in elections. Of these unrepresented classes, it should be remembered, the king was still the only protector.

The local assemblies, those of the shire and the borough, in which the members of the House of Commons were elected, form the basis of the system. They retained their local powers, legislative and administrative, upon an improved footing. Thus with the advantages of centralization were combined those of a political life diffused through the whole frame. Parliament at first combined the representation of localities with that of great interests or estates. As its power grew it assumed more of the character of a common council of the whole nation.

Government and the direction of legislation remained where it was needful they should be, in the king. Edward, in the partnership between him and the nation,

meant to be the predominant partner. Of parliament in its infancy the rights and functions were undefined. The commons met to grant supplies, to give advice to the king, to inform him about the state and wants of their districts. In legislation they participated at first only by way of petition. Their power of granting or withholding supplies in time gave their petitions force. By degrees it brought them general control, and at last the supreme power. When taxation was connected with representation and with liberty of giving advice or demanding redress, the foundation of the constitution had been laid. Of the judicial power vested in the king and his council of barons the commons received no share.

At the same time another authority, also national, was taking definite shape, that of the king's council, the privy council as it was afterwards named, consisting of the chosen advisers of the king. This had begun to acquire importance in the minority of Henry III.; in the end it became to some extent a regular competitor with parliament even for legislative power.

Edward's policy on military questions was connected with his general policy of putting nationality in place of feudalism. The feudal array of barons bound to service for forty days and bringing their own retainers into the field, he did not abolish. But by the statute of Winchester he infused new vigour into the organization of the national militia, the old fyrd called out by the crown through the sheriff, and under the direct command of the king. He enforced the assize of arms, requiring every freeman to be armed according to his means. His tactics, which combined the action of the yeoman archer with the feudal horseman, tended in the same direction. Dstraint

of knighthood, whereby each holder of a certain number of acres, no matter by what tenure, was compelled to put a mailed horseman into the field, also had a tendency to the creation of a national army in place of a feudal array. Even the improvement of the navy for the protection of the coast would, besides its direct object, contribute to the creation of a force eminently national, the destined bulwark and glory of the nation. Of mercenaries, under a patriotic king, we hear no more.

To curb the local powers of lords of manors, and bring all jurisdictions under that of the royal and national courts, went forth a commission of *Quo Warranto*, calling upon feudal lords to produce their titles. Then feudalism showed its teeth. Earl Warrenne produced to the commission as his title a rusty sword, by which, he said, his ancestors had won, and he meant to keep, his rights. Earl Warrenne's pedigree as heir of a Norman conqueror would hardly have borne inspection, and the sword of Norman conquest was by this time rusty indeed. 1280

The general policy seems to have pervaded the statute *Quia Emptores*, regulating subinfeudation. It was enacted that upon the alienation of a feudal estate the dues and services of the purchaser should go not to the alienor, but to the original grantor or lord paramount; the effect of which would be to multiply tenancies-in-chief, and place more of the holders of land directly under the crown. It is not so easy to connect with the general policy the statute *De Donis Conditionalibus* guarding against alienation of estates tail, which are the basis of a hereditary nobility, unless it were that the preservation of the reversionary rights of the donor was deemed to be in the interest of the crown. 1285



That Edward did not all this alone but had able men to assist him we may be sure, and in regard to his legal improvements are expressly informed. But the men were his choice, and the paramount purpose of superseding feudalism by nationality under a patriot king which pervades the whole policy of the reign, bespeaks the action of a single mind.

In extending the policy of nationalization to the church and making it an estate of the realm, liable to the national burdens, the king's way would be paved by the unpopularity which the papacy had contracted during his father's reign as an alien power of extortion; as well as by the diminished respect for the clerical and monastic orders, the growing jealousy of their privileges, and the increasing impatience of papal exactions which the people were beginning to betray. Grosseteste and Twenge had been pioneers of nationality as well as of reform.

The clerical estate as well as the feudal baronage was to be taught its place and its duty to the nation. Edward was religious, fully believed in the pope as the father of Christendom holding the keys of heaven and hell, and respected the spiritual jurisdiction. But he was not, like his father, superstitious. When his mother told him that a blind man had been miraculously restored to sight at his father's tomb, his answer was that his father would have been more likely to put out the vagabond's eyes than to restore them. He could rebuke the pope himself for setting Christian princes by the ears instead of uniting them in the cause of Christendom. Like St. Louis, he showed a firm front to papal encroachment, and perhaps in both cases resolution might spring from the discerning confidence of sincere religion. Papal pretension

still towered high. It towered highest, its language did at least, in Pope Boniface VIII. on the eve of a headlong fall. Popes were usurping by different devices the nomination of archbishops of Canterbury, and would fain have usurped those of the suffragan bishops also. In virtue of John's surrender, they deemed themselves still sovereigns of England; and the crown, sharing with them the spoils of the English church, was too ready to connive at their encroachment. Through three archbishops in succession, of whom the first two were papal nominees, the papacy strove to dominate in England. Kilwardby, a Dominican friar, the first member of a mendicant order who held a place hardly compatible with the vow of poverty, and a scholastic divine of eminence, proved too weak for his patron's purpose; he was made a cardinal and recalled to Rome. His successor, Peckham, a Franciscan and an ascetic, who kept six Lents in each year, set out with the aspiration of playing Becket. As soon as he landed in England, he held a synod at which he assumed an aggressive attitude towards the state, and, as a manifesto of the church's claim to her privileges, ordered copies of the Great Charter to be hung up in churches. Edward, backed by parliament, made him take them down again and apologize for his intervention in secular affairs. It was time likewise to put a limit to the absorption of land by the church, who, always taking and never giving back, would have engrossed the wealth of the kingdom, herself at the same time growing plethoric and unfit for her spiritual functions. The statute of Mortmain prohibited all grants of land to ecclesiastical corporations without a royal license under pain of forfeiture to the lord of the fief. By the ingenuity of ecclesiastical lawyers attempts

1278

1279

1279

1285

were made to elude the statute, but the legislature chased evasion through these devices, and henceforth no land could be acquired by an ecclesiastical corporation without a license in mortmain from the crown. An attempt to extend the jurisdiction of the church courts over ecclesiastical patronage and the personal property of clergymen brought on another collision which ended in the limitation of ecclesiastical jurisdiction by the statute or ordinance of *Circumspecte Agatis*. Church courts, though they affected to deal with spiritual cases in a spiritual way, became not less secular in their methods than the lay courts; not less vexatious and costly to the suitor; not less liable to technical iniquity and chicanery. Henceforth the ecclesiastical courts were to hold pleas only on matters spiritual, offences for which penance was due, tithes, mortuaries or death dues, churches and churchyards, injuries done to clerks, perjury and defamation. Peckham helped the king by quarrelling with his own suffragans, and by persecuting the saint and patriot Thomas Cantelupe, Bishop of Hereford, the friend of De Montfort, for whom Edward, to prove his liberal sentiments, sought the honour of canonization. But the tug of war came with Winchelsey, a prelate full of the spirit of his master, Pope Boniface, who proclaimed himself set by God over all kings and kingdoms. Edward, pressed by necessities of state, demanded a contribution from the clergy. The pope had launched a Bull forbidding the clergy to pay any taxes to the lay power. The high church theory was that the clergy in every realm, with their property, were a province apart, belonging to the dominion of the pope; that national law was the church's trustee, national government her executioner. The lay



power, however, in the person of Edward met the pretension of the clergy to be beyond the domain of secular government in a logical way by putting them out of the pale of law. The primate's courage, when he was thus confronted, failed him. He allowed his clergy to pay, and whatever might be their theory, they never again practically refused to share the burdens of the state. The principle had been established that the church in England was not a dominion apart, but an estate of the English realm, though with a spiritual head at Rome. Thus the ecclesiastical polity of England before the conquest was almost restored. Edward bore himself through the struggle with decency, showing nothing of the violence of Rufus. 1296

This is a memorable era in the history of law. What had been begun in England under Henry II. is greatly advanced now. From mere recognition and declaration of custom, or occasional edicts of kings, we have passed to legislation in the proper sense of the term; we come to a higher stage of civilization, life under fixed law. In France we have the *Establissemments* of St. Louis; in Spain, the *Siete Partidas* of Alphonso the Wise; in the kingdom of the Sicilies, Frederick II. and his minister, Peter De Vineis, have codified the Norman law. If the baronage of England repelled the Roman law, instinct as it was with imperialism, her jurists had profited by its science. It is by Coke, the author of the *Institutes*, that Edward I. is called the English Justinian. In importance as a law-giver he may deserve the name, though in spirit he was far different from the Byzantine autocrat. His Tribonian was his chancellor, Burnell, unlike his master in character if he was licentious and

covetous, but faithful as a public servant, and master of his craft. Edward had also at his side Francisco Accursi, son of the great Italian jurist. His own judges would give him the common law. "Never," says Sir Matthew Hale, "did the laws in any one age receive so great and sudden advancement." Not all the ages since, he avers, have done so much in settling the justice of the kingdom as was done in the short compass of this reign. Blackstone concludes an imposing catalogue of Edward's legal reforms and improvements by observing that "the very scheme and model of the administration of common justice between party and party was settled by this king." From this epoch legal precedent runs. Whatever Accursi may have contributed in the way of form, in substance the law of England remained English and not Roman. The common law held its ground and remained a strong though uncouth bulwark of personal right and liberty. What it had received into itself of Roman law seems to have operated as a sort of vaccination.

1285 With the improvement in the law went improvements in the judiciary. More regularity was given to the circuits of the justices in eyre, and their office was made more properly judicial and less fiscal. In the fiscal part of their office as collectors of crown revenue by the exaction of dues and fines they had brought on themselves the suspicion of the people. Like other rulers in those times, Edward had to contend with corruption in his judges, his sheriffs, and all officers who handled money.

Now also a lasting form was given to the set of legal writs which will henceforth be the basis of common law procedure and learning. Now is born a professional bar, with promotion from the bar to the bench, and ecclesias-

tics are succeeded as judges by laymen learned in the law.

The statute of Merchants shows the king's anxiety to foster commerce, which besides adding to the wealth of his kingdom was more friendly to the power of whose protection it stood in need, and was less impatient of fiscal exaction than the landed interest with the jealous baronage at its head. Here again we see the all-pervading policy of taking the great interests into the hands of the central government. Protection very liberal for the age is extended to the foreign merchant. The clause giving to creditors a lien on the debtor's land as well as on his personalty, bespeaks the growing strength of the commercial interest, and shows that the character of land-ownership was becoming less feudal and more commercial. 1283,  
1285

The process of development by which the judicial was separated from the legislative and administrative power was now nearly complete, though the king remained constitutionally supreme judge as well as ruler, justice being administered in his name and in his conventional presence, as indeed it is in the present day. The three courts of king's bench, common pleas, and exchequer, the first for causes between the crown and the subject, the second for causes between subject and subject, the third for fiscal causes, exist as they continued to exist till yesterday. All the three courts administer the common law, that is, the customs of the realm as modified by statute, the custom being in the breast of the judge. In the king personally is still left a general power of grace and of equitable intervention. This is exercised through the chancellor, who is said to keep the king's conscience.



The chancellor's office had originally been that of royal secretary of all departments, that of the household as well as those of home and foreign affairs, conducting the king's correspondence and keeping the king's seal. It now becomes that of a supreme judge in equity, and when it has taken complete form as the court of chancery, will supply the shortcomings, enlarge the narrowness, and temper the rigidity of the common law. The chancellor still retains his function as secretary of state, and is in effect chief minister from this time, while the grand justiciar disappears. He is an ecclesiastic, and his authority adds to the influence of his order. The Chief Justice of England, with his golden chain, has preserved something of the justiciar. The title of barons of the exchequer recalled the time when the court was a committee of the Curia Regis dealing with finance.

Disorder still called for repression when Edward came to the throne. More than once he had to show his vigour in restraining nobles from private war. A marauder fired and pillaged Boston when it was holding one of those fairs which were the life of the home trade in the England of that day. The roads were infested by robbers who lurked in the adjoining woods. That the merchant might carry his goods safely from fair to fair it was ordained that the sides of the road should be cleared. A commission of Trailbaston was directed against violence in general, and local guardianship of the peace was made more efficient by an improvement of the system of watch and ward, and by an advance towards the establishment of justices of the peace. The system of mutual responsibility or frank pledge, a rude expedient of primitive times, is practically numbered with the past. Always in judging a king's

policy we must bear in mind the rough and wild material with which he had to deal.

Another reform, as it was deemed, in spite of its cruelty, by the king and by the people, was the banishment of the Jews. The motive was partly religious, but it was mainly hatred of Jewish extortion and of alien domination. The Jews had not only practised grinding usury, but had been getting the land into their grasp by mortgage in collusion with greedy land-owners, who thus annexed the holdings of their weaker neighbours. From this Jews were debarred by an ordinance restricting their tenure of land. Some of them seem to have betaken themselves to clipping the coin, for which offence a number suffered. Popular feeling against them was enhanced by their ostentation of wealth. They had been admonished to betake themselves to less odious trades, but of course without effect. In banishing them the king sacrificed a rich though hateful source of revenue. At their departure the wrath of the people broke forth cruelly against the hapless race, but it was repressed by the king. That the Jewish money-lenders and financiers took away with them the commercial prosperity of the kingdom is shown by the subsequent history to be untrue. In maritime enterprise the Jews could bear no part, except as they might furnish funds. Churches, abbeys, colleges, and other public edifices, for which they are alleged alone to have provided the capital, continued to be built after their departure. That the Italian financier came in place of the Hebrew and reaped a measure of the same hatred is true; but he did not threaten England with the perpetual ascendancy of an alien and unassociable race. The nation showed its gratitude by a liberal grant.

With a policy always tending to the dethronement of feudalism and the installation of a national monarchy, Edward could not fail to arouse the opposition of the feudal magnates. At last they had him at a disadvantage, and were able to combine the show at least of regard for public right and patriotism with the interest of their class. He had always been in financial straits, having inherited an empty treasury, and being involved in costly wars. Yet in the first eighteen years of his reign he had only four times come upon his people for extraordinary grants. But the double expenditure of a war in Scotland and a war on the continent for the defence of Gascony against Philip of France reduced him to the extremity of need, and drove him to desperate courses. He tallaged the domains of the crown, for doing which, it seems, he had the letter of legal right; he laid his hands upon the stores of wool, hides, and other merchandise; he seized the treasures of the cathedrals and monasteries; he wrung contributions from the clergy. An opposition which nearly took the form of armed rebellion arose. At its head were the two chiefs of the feudal nobility, Roger Bigod, Earl of Norfolk and Earl Marshal, and Humphrey De Bohun, Earl of Hereford and High Constable. They had a confederate in Archbishop Winchelsey, who was fighting for the immunities of his order. Bigod and Bohun figure in Whig histories as patriots, and as objects of constitutional gratitude. Both of them had personal grudges, Bohun having been fined and imprisoned, Bigod having been put down in attempting to levy private war. Their patriotism is somewhat doubtful, but in resisting arbitrary taxation they had right upon their side. The first con-



flict arose from the refusal of the Constable and Marshal to serve abroad without the king. "By God, Sir Earl!" 1297 said the king to the Earl Marshal, at the end of the altercation, "you shall either go or hang." "By the same oath, Sir King, I will neither go nor hang," was the Marshal's reply. The field of quarrel widening, the earls raised a body of horse and forcibly stopped the seizure of wool and hides. Popular feeling began to show itself on their side. The king addressed a touching speech to the people outside the hall at Westminster, telling them that for their sakes he was going to meet danger, promising them, if he returned, to make amends to them for all, and bidding them, if he fell, take his son as king. The heart of the people responded to the appeal. But when the king had embarked for Flanders, and his dreaded presence was withdrawn, the two earls and the archbishop, with their party, renewed their pressure and forced the regency to give way. 1297 The king was constrained to grant a confirmation of the Great Charter, with an extension renouncing tallage, prise of merchandise, and arbitrary taxation of every kind. This memorable enactment, commonly known as the statute *De Tallagio non Concedendo*, in principle completed the groundwork of the constitution. To it was appended a provision for a new perambulation of the forests, forest encroachments being still a standing grievance. Edward was passionately fond of hunting, but he seems also to have felt that the flower of his prerogative was touched. He fenced with the demand, and when he at last frankly consented, he sought a dispensation of the pope. This act, at variance with the motto of his life, was Edward's fall, and is to be palliated only by the general error of

his age, which believed that conscience could be bound and loosed by popes. He did not act on the dispensation. The opposition would have gone further. They wanted to take from the king the appointment of the officers of state. Edward replied that complaints against any of his officers should be heard, but that if he gave up the appointments he would no more be king. Throughout the controversy he showed his sense of the true foundation of his power by throwing himself on the affection of his people.

Luckily for the king, there was a split between the lay opposition headed by the earls, and the clerical opposition headed by Archbishop Winchelsey, a politician whose strategy seems to have verged on treason; for there can be little doubt that the papal missive forbidding Edward to make war on the Scotch, of which the archbishop was the officious bearer, had its origin in his own brain. To the missive he added words of ghostly counsel, telling the king how safe were the dwellers in Jerusalem, and how they who trusted in God were as Mount Sion. "By God's blood," thundered the pious monarch, "I will not hold my tongue for Sion, nor keep silent for Jerusalem; but my right, which is known to all men, I will with my whole might defend!" On a question of national independence the baronage was with the king, and a ringing protest against interference was the answer to the pope. Edward seems to have suspected that the plots of the archbishop had been deeper still. He openly upbraided him with his treason, telling him that there were proofs of it under his own hand, and that he might go, but should never return. The archbishop went, and during Edward's life he did not return.

To promote, by all fair means, the union of the island as the only sure guarantee for its internal peace and external security was a policy which, after long and dire experience of its opposite, received in the case of England and Scotland a glorious ratification in 1707. Edward pursued it with law and right clearly on his side in the case of Wales; with law and right less clearly on his side in the case of Scotland; yet in his own way and with an object widely different from those of the conquerors whose selfish and unscrupulous ambition has been the curse of mankind. He has been accused, perhaps with justice, in this and other cases, of being extreme in insisting on the letter of his legal right. If he was, he erred with an age of feudal and papal reasoning; but it remains to be shown that in his British policy he was not justified in believing that he had at least, besides the letter of the law, the true interest of the whole island on his side.

From Cheshire, made by the Conqueror a palatinate that its earl might have force to curb the Welsh, and from the southwestern counties, Norman conquest, the way being opened for it by the clan feuds of Welsh chieftains, had pushed on into Wales, occupied the lowlands, and made of them Marches, petty feudal principalities of which the Marcher was the feudal lord. In Pembrokeshire, Henry I. had planted as an outpost a colony of Flemings. The mountain region, with the island of Anglesey in its rear, had nominally submitted to the kings of England, and its native princes owed them fealty. But it remained the home and fastness of the Celt, with the Celtic language to which he still clings, with his native prince, with his clannish instincts, with



the lawlessness tempered by custom which he called the laws of Howell the Good, with his fantastic legends, with his fond memories stretching back through ages of depression and isolation to the time when all Britain was Celtic and to the fabled glories of Arthur, with his love of the bard and the harp, with the plaintive poetry of an emotional, imaginative, and vanquished race. Never did the Welsh mountaineer lose a chance of fomenting English troubles or of backing English rebellion. Under John and under Henry III. we saw him active on the insurgent side. In this way he had preserved a relic of marauding independence. He had played his usual part in the civil commotions of the last reign. As there was nothing for it but to give the marchers a free hand, in the marches also disorder reigned. This state of things could not be borne. A conqueror, even the least unscrupulous, would have laid a strong hand on Wales; a pretext the Welsh forays would soon have afforded him, and he would have been absolved by history. Edward was not a conqueror, he was a strict respecter of law, though he might sometimes read law narrowly and sometimes in the light of policy. In the case of Wales he had the law clearly on his side. Llewelyn, the Welsh prince, owing fealty and not denying that he owed it, made default, was contumacious, and put himself in an attitude of rebellion. Edward, with the concurrence of the English estates, led an army against him. Llewelyn deemed himself unassailable in his mountains, where the mailed cavalry was ineffective and had more than once met with disaster. But Edward, acting on the principle that the valleys command the hills, girdled the insurgent region with castles and turned invasion into investment, while

the Cinque Port fleet took Anglesey. Llewelyn surrendered, ceded a part of his territory, in the possession of a greater part of it was confirmed on condition of a payment which was afterwards remitted and of sending hostages who were afterwards returned. His brother David, who, meaning probably to supplant him, had taken the English side, was rewarded with lands and castles, knighthood, and Earl Derby's daughter as a wife. Llewelyn did homage, spent Christmas with the king, and received the hand of Edward's cousin, Eleanor De Montfort. Hopeless now of supplanting his brother, David urged him to revolt. The pair broke into sudden rebellion against Edward, slew his people, surprised his castles, and carried away his governor. War began anew and it was arduous and costly. But Llewelyn was slain in a chance affray, and his head was brought to Edward. David, a double traitor, was given up by the Welsh, and, after solemn trial in the presence of a parliament, died a traitor's death. Wales was subdued. Its two-fold palladium, Arthur's crown and the piece of the true cross, came into the victor's hands. But the mountain tribe, whether in Wales or in Afghanistan, does not easily resign its lawless freedom. Renewed risings called on Edward for fresh efforts. Additions were made to the girdle of castles, some of which still in their ruins attest the grandeur and generalship of their founder. A set of rules was framed for the government of the principality introducing the criminal law and some parts of the administrative machinery of England. Whatever seemed tolerable in the Welsh customs, Edward, with true statesmanship, determined to preserve. That he extirpated the bards, as Hume said and Gray sang, is a romantic

1277

1282

1284

fiction; their minstrelsy abounds after this time. A Round Table, held at Carnarvon with high state and a large concourse, celebrated that which, however we may feel for conquered races, must be deemed a triumph of peace, order, and civilization. To win the people to industry, mining was encouraged. Wales, however, though annexed and partly assimilated, was not at this time nor till long afterwards fully incorporated with England. It did not send members to the English parliament. The mountain region retained its political seclusion. The Welsh language lived, and with it something of a separate nationality, as was seen a century later in the insurrection of Owen Glendower, as is seen in the separatist tendencies of Wales, civil and religious, even at the present day.

1400-  
1415

In the case of Wales Edward had succeeded. In the case of Scotland fortune was adverse; yet he did not fail, but was prevented by death from completing his work, which was wrecked by the weakness of his successor. It was a great calamity to him, and, perhaps, to those with whom he had to deal, and to whom his temper was important, that in this critical hour, when the hardest trials of his life lay before him, he lost his wife. "I loved her living, and I love her dead," he said, as he ordained perpetual masses, little needed, for her soul. From Lincoln, near which she died, he bore her corpse to Westminster, and at each place where it rested, a cross, the work of medieval art in the zenith of its beauty, rose to mark the path along which the great king, turning from his course of war and statesmanship, followed the bier of love. If there is a character in history answering to Tennyson's King Arthur, it

1290



is that of Edward I., while his Eleanor was no Guinevere.

Scotland was not a united kingdom. The people of the Lowlands were English, more purely English than the people of England itself, and had been severed from their stock only by the accident of the Norman Conquest. Normans had come among them, not as conquerors, but as adventurers; had gained ascendancy at the Scottish court and over the country; had introduced their customs, and had turned Lowland Scotland into a rough counterpart of feudal England. The Norman nobilities of the two countries were in fact one. Bruce, Baliol, and Comyn held English as well as Scottish fiefs. Several Scotch lords, among them Baliol and Bruce, were with Henry III. at Lewes. A Bruce and a Baliol had fought for England against Scotland in the battle of the Standard. But the authority of the Lowland king ended with the Grampians. Behind that rampart still dwelt, in his Highland fastness, the Celt, with his own language and customs; with his group of clans, whose separate unities the glens had preserved, owing no allegiance but to the clan chief; thoroughly alien and hostile to the Saxon, who had dispossessed him of the plain, and upon whom he deemed it meritorious to raid. Beyond the Highland clans, again, in the isles, were Norsemen, alien alike to Celt and Saxon, with habits like those of their ancestors maritime and largely piratical, under their own laws or lawlessness. The Celtic Highlander and the Islander might have as much right to the independence for which they struggled against the Lowlander as the Lowlander had to his own. To an anarchical and predatory independence none of them could have a right.

Several times the Scotch had invaded England, and there was always danger of their inroads.

Edward had been sixteen years on the throne without touching the affairs of Scotland. Alexander III., king of Scotland, died, leaving as his heiress an infant, the child of his daughter Margaret, by the king of Norway.

1290 Trouble at once arose among the turbulent baronage of Scotland. Leading Scotchmen appealed for advice to Edward, who was then in Gascony. He recommended a regency, which was appointed, and he did not hasten his return, or show any disposition to take advantage of the confusion. His son Edward, like the heiress of

1290 Scotland, was a child. He proposed a marriage between them, which would have amicably united the two kingdoms. The Scotch baronage assented, a treaty was framed, and it is allowed by all that the terms were fair and honourable to the weaker kingdom. But the

1290 little Maid of Norway, as she was called, died on her passage to Scotland. Her death, like the arrow which pierced the brain of Harold, or the fatal waft of mist which crossed the battlefield of Lützen, was one of those incalculable accidents which, turning the whole course of events, seem to make it impossible that history should

1290 become a science of prediction. Thirteen claimants to the Scotch throne now started up, civil war impended, and leading Scotchmen again called on Edward to intervene and save Scotland from confusion. Edward consented to intervene if he were recognized as over-lord of Scotland. The question of the over-lordship is debated among learned and impartial writers to this day. William I., William II., and Henry II. had forced the king of Scots to do them homage. But what Henry II.

had extorted, Richard I., to raise money for his crusade, had sold back. The question was complicated by the fealty which the kings of Scotland owed for the fief held by them as Earls of Huntingdon in England, and which brought them as feudatories to the English court and camp. In an uncritical age, at all events, Edward might believe in the legality of a claim which he had allowed to remain in suspense but had never waived; and, if the law was doubtful, or more than doubtful, the policy of union in the interest of both countries was clear. Edward's claim to the over-lordship, at any rate, was distinctly put forward, and was recognized freely and with full deliberation on the part of Scotland. As over-lord, and in no other capacity, without any special instrument of submission to him as arbitrator, Edward heard and decided the cause. It is not disputed that he heard it fairly, or that he was right in deciding in favour of Baliol, as the representative of the elder line, against Bruce who was nearer to the stock by one degree. Bruce and Baliol alike were holders of fiefs in England, but Bruce, perhaps, was the more English of the two. One of the competitors had contended that the kingdom was partible like ordinary estates, and had Edward's design been evil he would probably have decided that it was. Having given judgment he set Baliol on his throne, delivered the fortresses of the kingdom, which, pending the suit, had been placed in his hands, to the new king, exhorted him to govern well, and for four years left him to govern. There is apparently no reason for supposing that he meant to disturb anything in Scotland, or that he was not satisfied with the settlement, which simply secured peace by a feudal bond between the two kingdoms. All



that he did was to receive appeals, which was the right and duty of an over-lord, recognized by himself in his relation, as the holder of French fiefs, to the king of France, though he could not, as king of England, put his person in his French enemy's hands. We have seen what was the temper of a Norman nobility. It was probably by their own spirit of restlessness and cabal, rather than by any wound given to their national feeling by what they must have known to be a common incident of over-lordship, that the Scotch barons were  
1295 led suddenly to rise against Baliol, practically depose him, confiscate the estates of Englishmen in Scotland, ally themselves with the king of France, then at war with England, and without a declaration of war invade Cumberland and ravage it, if local chroniclers can be trusted, with the usual barbarity. Upon this Edward  
1295 advanced and subdued Scotland. It was his right and his duty so to do. Having made himself master of Scotland, he disturbed nothing, did harm to nobody any more, but simply annexed the country on an equal footing to England. If there was cruel slaughter at the  
1296 storming of Berwick it was not unprovoked, and such were the savage habits of that age, and of ages long after this, in the case of garrisons which, after summons, stood  
1296 a storm. Baliol surrendered his kingdom as forfeited by breach of fealty to the over-lord. In a parliament at Berwick Edward received the homage of the clergy, baronage, and gentry of Scotland. Thirty-five skins of parchment were filled with their names and their promises of allegiance. If such submissions were invalid there would be no end to war. Nor could supreme respect be due to an independence which signed the Ragman's Roll.

Edward, however, had now been forced to take the fatal step from the position of a rightful over-lord to that of a conqueror. Conquest in him would have been sage and mild; after the first pang the Scotch people would have found themselves freed in some measure from the domination of a lawless and oppressive oligarchy, under parliamentary government, and in the enjoyment of secure peace. But this depended on the king's presence. He was called away to the defence of his calamitous possessions in France. The retention of Gascony when the 1297 other continental dominions of the house of Anjou were happily lost, is one of the great disasters of English history, poorly compensated by freedom of trade with Bordeaux. Cressingham, Edward's vice-gerent in Scotland, seems to have been haughty and unwise, while the bearing of a victorious soldiery, unless controlled, is sure to be offensive. Perhaps in the west of Scotland, where there was a mixture in the population of a more primitive and wilder element, the very approach of order was enough to stir revolt. Wallace, whose proper name, Waleys, denotes his Celtic origin, a man of middle rank, having slain an Englishman, and being outlawed, took to the woods, gathered a band, and put to death all the Eng- 1297 lish who fell into his power. His following swelled to an army, and at Stirling, Cressingham, by madly defiling 1297 over a narrow bridge in the face of the enemy, threw a victory into his hands. Wallace invaded the north of England and ravaged it with the most savage cruelty, leaving, in the words of a Scotch historian, nothing behind him but blood and ashes. He was now master in Scotland; but the nobles would not join him, and to recruit his army he had to inaugurate a reign of terror,

setting up gibbets and hanging those who refused to enlist. Edward again entered Scotland and annihilated the  
1298 army of Wallace at Falkirk, opening the serried masses of Scotch spearmen with the English long-bow, which here for the first time shows its power. Wallace was totally deserted by his following and wandered in obscurity for seven years, at the end of which he was given up by the Scotch of the other party, carried to London,  
1305 tried, and executed as a traitor. His plea and the plea of Scotch historians in his behalf is that he could not have been guilty of treason since he had not sworn fealty to the king of England. He was indicted not only for treason, but for his murders, burnings, sacrileges, and other atrocities. If a private citizen of Alsace-Lorraine, after the cession of that territory to Germany, had raised an insurrection on his own account, murdered every German on whom he could lay his hands, tied German priests and nuns back to back and thrown them into rivers, hanged subjects of the empire for refusing to join his army, invaded a German province, butchered its inhabitants without regard to age or sex, burnt a church full of people, and made men and women dance naked before him, pricking them with lances, the fact that he had not personally sworn fealty to the German emperor would hardly have saved his life. The hideous mutilation of a traitor's body was the barbarism of the age. It was in the middle of the seventeenth century that the Scotch,  
1650 after hanging Montrose for waging war against them, stuck his head upon a pole, sent his four limbs to four different cities, and buried his mutilated trunk under the gibbet. Wallace himself had made a sword-belt of Cressingham's skin.



The fall of Wallace brought the baronial party of independence again to the front, and Comyn, the leading noble, was elected a guardian of the realm. Edward had to make two more campaigns, which, however, proved little more than military parades. Again he disturbed nothing, took no vengeance on anybody, though the perfidy of those who had rebelled after solemn submission and homage must have stung him to the heart. The garrison of Stirling held out, contrary to the laws of war, after the surrender of the kingdom, and Edward nearly lost his life in the siege; yet he spared the garrison. He caused a convention to be held at Perth for the election of Scottish deputies to act in conjunction with English deputies on a commission for the settlement of Scotland. The commission framed a plan, making the king's nephew, John of Bretagne, governor, constituting a joint judiciary of Englishmen and Scotchmen, and providing for a revision of the laws of David, king of Scotland. This was an anticipation of the union.

Edward might flatter himself that the fire of resistance in Scotland was extinct. It was only smouldering. Yet had he lived and had his hands been free, it would probably not again have blazed; probably it would have died away. But his hands had been full of troubles and foreign war; and now he was near his end. His failing strength was no doubt marked by an ambitious adventurer at his side. Robert Bruce, destined to delay for four calamitous centuries the reunion of the Anglo-Saxon race in Britain, was no Scotch patriot, but a Norman adventurer, playing his own game, carving out for himself a kingdom with his sword, as was the fashion of his race, and as his brother Edward tried afterwards to do in

Ireland. He was the grandson of Robert Bruce, the competitor for the Scottish crown. Bruce the competitor held, with his Scotch earldom of Carrick, great estates in Yorkshire, and had been a member of the judiciary in England. His son, the second Robert Bruce, was Edward's intimate friend, had gone with him to the crusade, and was always a loyal subject of the English crown. The third Robert Bruce, now coming on the scene, was probably born in England, had lived in Edward's court, eaten his bread, borne fealty to him, enjoyed his confidence, been addressed by him as "loyal and faithful," and employed by him in receiving the submission of a Scotch district. To prove his fidelity he had ravaged the estates of one of the opposite party. It seems true that since the dethronement of Baliol he had formed an ambitious design and had been playing a double game. But a double game is not patriotism or honour. Seeing, as no doubt he did, that Edward's vigour was departing, Bruce  
1305 slipped away to Scotland, laid claim to the crown, and set up the standard of revolt. Comyn, the late guardian and the head of the nobility, stood in his way. On pretence of a conference he trained him to a church and  
1306 stabbed him there. To the stain of treachery he thus added the stain of murder. It does not seem that he was at first received with enthusiasm. His chief supporter was Wishart, Bishop of Glasgow, a man double-dyed in perfidy. Edward's wrath now broke forth beyond his wont, yet not wholly without measure. He pronounced sentence of death against all who had been implicated in the murder of Comyn, imprisonment during his pleasure against all who had taken part in the revolt. He carried out his sentence against Nigel Bruce, the brother of

Robert, and such leaders of the insurrection as fell into his hands. A government in our own day could scarcely do less. The Scotch exulted in what they called "Douglas's larder," the feat of one of Bruce's adherents who surprised an English garrison in a church, slew them all, and, being unable to hold the castle, threw the bodies of the English upon a pile of wood and burnt the whole. Bruce, unable to withstand the forces sent against him, had to take refuge in the woods. But being a man of great military capacity and powers of leadership he rallied and made head again. Once more Edward heard the call of royal duty and obeyed; but his last hour had come. He was suffering from a mortal malady. Undauntedly he struggled with it and rode at the head of his army till he could ride but two miles a day, and at last was obliged to take to his litter. So, on the march, and still eagerly pressing forward, he ended the life which had been one long march of duty. His dying words were an expression of faith in God, with a command that his heart should be carried to the Holy Land, to an expedition for the relief of which he had looked forward as the blessed end of his long life of toil. He enjoined his son to carry his bones at the head of the army into Scotland.

Richelieu in his day crushed feudal anarchy and installed order in its room. But he did not call forth life, and the end was decay. Edward I. called forth life. His work did not decay. Hard by the beautiful effigy of Eleanor at Westminster her husband rests in a severely simple tomb. Pass it not by for its simplicity; few tombs hold nobler dust.



## CHAPTER IX

### EDWARD II

BORN 1284 ; SUCCEEDED 1307 ; DEPOSED AND DIED 1327

**I**NSTEAD of carrying his father's bones onwards at the head of the army, and completing his father's work, Edward II. soon turned away from the affairs of Scotland to his pleasures, and left Bruce time to repair his reverses and seat himself firmly on the throne. After an interval of seven years, and when the troubles of his reign had begun, he led an army which his chief barons refused to join, and which could have no confidence in its commander, to total defeat at Bannockburn. So ended for many a day the hope of a united Britain. In place of it came centuries of mutual hatred, reciprocal havoc, devastating war, border brigandage, and common insecurity ; of disunion in Scotland herself, the Lowland kingdom not having strength to subdue and incorporate the Highlands ; of diplomatic vassalage of Scotland to France ; of retarded civilization on both sides, but especially on the side of the weaker kingdom. If destiny had a partial compensation for these evils in store, it was beyond the ken either of Plantagenet or of Bruce. The game which Robert Bruce had played in Scotland his brother Edward attempted to play in Ireland, but after filling the island with havoc and tasting of Celtic inconstancy, he was encountered by a better commander

than Edward II. in the person of Sir John Bermingham, and on the field of Dundalk met his doom.

1318

It must have added a pang to the great king's death to think in what hands he left the government. If, as Horace says, the eagle does not breed the dove, he breeds the crow, and perhaps in the course of nature. Edward I., the son of a weak father, had himself been strengthened by early conflict with an adverse world. His son's weakness had probably been increased by the shelter of his father's strength and the prospect of an assured throne. The pains which his father had taken to train him for business and war, he being apt for neither, may have increased his distaste for both. He was in person a hollow counterfeit of his father; a tall and handsome figure without the soul; a man of pleasure, elegant but frivolous in his tastes and pursuits, incapable of standing alone, and always leaning helplessly on favourites. Such are the chances of hereditary monarchy; such perhaps is its corrective; for a line of strong kings might be fatal to liberty.

It seems that the age was declining from the masculine, chivalrous, and religious character which had been embodied in the first Edward, and that the mental effeminacy of the second Edward was partly the infection of his time. The end of the crusades is marked by the dissolution of the order of Templars, the great soldiers of the Cross, in France with hideous cruelty, in England with comparative mildness and respect for the persons of the knights.

1308

A change was coming over the character of one of the political forces. In place of the Norman baronage of the Conquest, or of the English baronage which had

led the nation in its resistance to the tyranny of John and the misgovernment of Henry III., there was rising a group of magnates headed by kinsmen of the royal house, who, by marriage, inheritance, escheat, or royal favour, joined earldom to earldom and had accumulated vast domains. Of the twelve greatest fiefs, seven had come into the royal family before the death of Edward I. The formation of appanages for members of the royal family was a policy apparently strong, but really weak. Instead of being supporters, the holders of the appanages became restless rivals of the crown; and in those days ambitious energy could find no scope other than war, except in intrigue. The cabals, treasons, and rebellions of the magnates, when the government is not strong enough to control them, fill the scene; till at last there are formed two parties, ostensibly dynastic, but really oligarchical, which, in the civil war of the Roses, fall on each other's swords. At the same time there is usually a court party devoted to the interests of the crown and to its own, naturally headed by the king's favourites, and regarded with jealous hatred by the grandees.

Edward II. had formed a fatuous attachment to Piers Gaveston, a young Gascon full of gasconade, brilliant but worthless, the precursor of the minions of James I. The late king had striven in vain to break off the fatal connection. No sooner was he gone than his son was again in Gaveston's arms. Gifts, grants, and honours were heaped upon the favourite with an extravagance almost insane. Together the pair led a life of dissipation, profusion, and misrule. Gaveston, among other diversions, indulged in that of scoffing at the grandees,



giving them nicknames, and unhorsing them at tournaments, in which, as in everything martial, he showed prowess. The Earl of Warwick he nicknamed the Black Dog, and the Black Dog vowed that the minion should feel his teeth.

Signs of a gathering storm soon appeared. The government had to forbid tournaments, which were the pretexts for insurrectionary meetings in those days, as hunting parties were in Jacobite times. There was first opposition in parliament, the commons, at the prompting, probably, of disaffected magnates demanding that redress of grievances should be granted as a condition precedent to their grant of a subsidy; then there was an assemblage of the barons in arms. The precedent of Henry III. and the Provisions of Oxford appears to have been in the mind of the authors of the movement. The part of Simon De Montfort was played by an inferior actor, the king's cousin, Thomas, Earl at once of Lancaster, Lincoln, Leicester, Salisbury, and Derby, who here laid for the bearer of his title the foundation of an opposition policy something like that of the house of Orleans in its antagonism to the elder branch of the Bourbons. A committee of lords and prelates was formed resembling that formed by the parliament of Oxford, and a set of ordinances was framed and imposed upon the king. These ordinances enumerate and condemn the old and ever-recurring imposts and abuses, fiscal, judicial, and forestal, as well as the waste of the royal domains by prodigal grants and the malversation which diverted the revenues from the exchequer to the king's pleasures or to the coffers of his favourite; while the hand of the prelates is seen in the prohibition of inter-

ference with the church courts. It appears that among his irregular modes of raising money the king had been tampering with the coinage, and this grievance also is denounced. But the ordinances go on to claim a control over the appointment of all the great officers of state, as well as over the conduct of war and the raising of forces for it. It is further ordained that parliaments shall be held at least once in every year, and that a tribunal for hearing complaints against the king's officers, for impeachment in fact, shall be formed. These were ordinances of virtual deposition, against which the king was sure, if he retained a particle of royal instinct, as soon as he had an opportunity to revolt.

1308 Gaveston had been banished and had sworn not to return. But the pope, ever open to the approaches of royalty, absolved him from his oath and he returned.  
1309 The lords then took up arms, and Gaveston, falling into the hands of the Black Dog of Warwick, did feel his  
1312 teeth, being beheaded without trial on Blacklow Hill. His enemies might say that under the ordinances he had been banished and declared liable to treatment as a public enemy if he returned. So ended his tragi-comedy. He seems, besides his strange fascinations, to have had some capacity, at least for war, and to have done well as viceroy in Ireland, though he led his royal friend madly on the road to ruin.

The king now put himself into the hands of the Despencers, father and son. He struggled, as might have been expected, against the ordinances. But he was depressed by his defeat at Bannockburn, which was followed by devastating inroads of the Scotch, and  
1319 presently by the loss of another battle at Mitton. Fam-

ine came to complete the unpopularity of his government as well as the wretchedness of the times. Lancaster now grasped power, making the consent of the council necessary to all acts of government and himself president of the council. But he who sets his foot on the steps of a throne should mount. If he does not, he falls. A power like that of Lancaster, even if it is popular at first, is sure to create jealousy and raise up foes, while it has no robe or diadem to command respect. Things went little better under Lancaster's ascendancy than they had gone before. His party split and general confusion followed. Suddenly the king borrowed courage from despair and took up arms. He found unexpected support. Lancaster was defeated, taken prisoner, and with a number of his partisans put to death. Like De Montfort, he was canonized by the people as a patriot saint, and miracles were performed at his tomb. But the measure of his patriotism compared with that of his ambition seems to have been small; it was small indeed if, as appears, he was in treasonable correspondence with the Scotch. 1314 1322

The party of the ordinances was now overthrown, and the Despensers, father and son, reigned in the king's name. What were their political aims can hardly be said. They were the son and grandson of a baron and justiciar who had fallen by the side of De Montfort at Evesham. The father was a veteran minister of Edward I. In a parliamentary attack on them the younger Despenser was accused of teaching the doctrines that it is to the crown, not to the person of the king, that allegiance is due, and that it is the duty of the subject if the king goes wrong to force him to mend his ways. When the ordinances were overthrown,



the restoration of royal government was proclaimed under the influence of the Despensers by the announcement that “from henceforth matters to be established for the estate of our lord the king and for his heirs and for the estate of the realm and people shall be considered and established in parliament by our lord the king and by the consent of the prelates, earls, and barons, and of the commonalty of the realm, according as it has been hitherto accustomed.” This declaration, it will be observed, was pointed against the baronial ordinances, not against the prerogative of the crown. We must be on our guard through these ages against taking manifestoes of party for measures of advancing principle. The practical concessions of the ordinances were at the same time confirmed. Hence it has been conjectured that the policy of the Despensers may have been, like that of Edward I., national and anti-feudal; it must at all events have been opposed to the ascendancy of the magnates. But popularity and the support of parliament were necessary to the recovery of their power; and when their power was recovered no policy seems to have restrained the rapacity of the father or the reckless violence of the son. Favour-  
1326 ites always are, or can be easily made, odious. The ease with which the government was overthrown by such conspirators as the vile queen and her vile paramour Mortimer seems to prove that it was not only weak but detested and friendless.

1326 Savage atrocity was shown by the victors in the execution of the Despensers as it had been by the other party in the execution of Lancaster. This characterized, and continues to characterize, wars not of principle but of personal rivalry and faction. After the fall of De Mont-

fort there had been forfeitures, but no executions. The nation now underwent its baptism of bloody civil war. A sinister omen also is the appearance of Orlton, a bishop, as an arch-traitor and an accomplice in the murder of the king.

It is needless to recount the tragic end of Edward, in 1327 depicting which Marlowe has rivalled Shakespeare.

Through all these troubles, revolutions, and rebellions, the work of Edward I., though sorely strained, had borne the strain. The nation had never, as in the time of Stephen, lost its organization. Government had remained parliamentary; each revolution had assumed a parliamentary guise; the king, after his victory over the magnates and the overthrow of the ordinances, had continued to call parliaments; and it was by the action of parliament, with constitutional formalities devised apparently for the occasion, that Edward II. was deposed and his crown was given to his son. Mortimer, again, proceeded to base his domination on a parliament, though a parliament, no doubt, so far as the commons were concerned, packed by his party. It has been truly remarked that the House of Commons, as a body always renewed apart from oligarchic faction and unscathed by its sword or axe, was likely to gain in authority by the confusion in which oligarchies or favourites perished. Thus the "little people of the commons" pushed their way beside the "great men" of the nobility whom they were destined in the end to thrust from power. The weak point of the Commons' House would be the want of personal continuity, in an age in which there was no political press to bridge the intervals between parliaments, keep alive leadership, and prepare the new members for their work.

## CHAPTER X

### EDWARD III

BORN 1312; SUCCEEDED 1327; DIED 1377

FOR four years, under the nominal kingship of a boy, the country endured the rule of a French adulteress and murderess with her paramour. But Mortimer ended like other usurpers who do not consummate their usurpation; conspiracy, which had raised, overthrew him; and at eighteen Edward III. began not only to reign but to rule. In him a part of the first Edward lived again, but a part only. He was a brilliant soldier and a magnificent man, but hardly a general and still less a statesman. His reign belongs more to the history of war than of politics, and it is a reign of calamity under the guise of victory, of splendid achievements bearing no fruit and bringing endless evils in their train. Political development, however, was promoted through the financial exigencies of war and the political element in war power was signally displayed.

It was in the right field that the young paladin gave the first proof of his prowess. Furnished with justification by Scottish raids on England, he began to conquer where conquest might have been lasting, and, if lasting, would, in the end, have been beneficent. By his 1333 signal victory at Halidon he showed that at Bannockburn the fault had not been in the army but in the commander.



He annexed Berwick, and had he steadily brought his force to bear in that direction, he would probably have annexed Scotland. The marvellous success of Baliol, who, in a moment, and with a handful of troops, made himself master of the country, transient as it was, sufficed to show that the resistance, though stubborn, was not adamantine or such as superior force and policy united might not have overcome. Unhappily, Edward was tempted to exchange the bleak and hungry north, where his real treasure lay, for a sunnier, richer, and, as it seemed to him, more glorious, field in France. He was the paragon of his age, and the age was one of warlike but frivolous adventure. The true chivalry of the crusades was dead; its knell was the fall of the Templars. In its place had come a false chivalry with fantastic orders, such as the orders of the Garter, the Thistle, the Collar, the Golden Fleece, with the adoration of the swan and the pheasant, with Quixotic vows and feats of arms, with a fatuous woman-worship, unaccompanied by any real respect for the virtue of woman. Young knights go to war with a bandage over one eye, vowing that they will not see with both till they have done some feat of arms in honour of their mistress. Now heraldry becomes a science. Of these knights-errant Froissart is the prose troubadour, and the author of "Palamon and Arcite," with its amatory extravagances, is the poet. War to these men is the most exciting and glorious of tournaments, and it is hardly more serious than a tournament, except that it yields to the victor a rich harvest in booty and ransoms. King Edward sinks the general in the champion; he throws himself into the fray from sheer love of fighting; goes into action disguised that he may

encounter a doughty antagonist. He and his companions in arms prepare for battle as for a feast. He refuses to order up the reserves to the support of the Black Prince at the crisis of a battle because he wishes the boy to win his spurs. The love of pomp and magnificence goes with that of glory, and the gorgeous wardrobe of Edward III. forms, like everything else about him, a contrast to the simplicity of his grandfather. The women of the upper class are infected with the fancies of the men. They dress fantastically, affect to mount chargers instead of palfreys, and ride about to tournaments with their knights, at some peril to their reputations. Their chief duty is to rain influence on the field of honour. At the  
1340 battle of Sluys the queen and all the ladies of the court are with the fleet. Among the knights there is strict observance of mutual courtesy, of the rules of honour, and not only of the laws, but of the amenities and generousities of war. But all this is for a caste. The burgher and the peasant are treated as creatures made of another clay. They are despoiled and slaughtered without mercy. The Black Prince, the mirror of this chivalry, and really a noble character in his way, waits behind the chair of a royal captive, mounts him on a splendid charger while he rides himself on a hackney at his side, and indulges his wrath at a protracted resistance  
1370 by putting to the sword without distinction of age or sex the people of Limoges. For the brave defence of Calais, Edward is on the point of hanging ten burghers, Eustace De St. Pierre and his self-devoted mates, though they are saved by the intercession of the queen. The king, who would be damned by failure to pay a debt of honour to another king or knight, thinks nothing of repudiating

an enormous debt to the plebeian banking houses of Florence.

These men were young, and there was a boyishness in all they did. Life was shorter, manhood was earlier, in those days than in ours. Most of the nobility seem to have died in middle age, many of them by violent deaths. "Old John of Gaunt, time-honoured Lancaster," lived only to fifty-nine. Striplings married, striplings commanded armies. Edward III. was fifteen when he was married, eighteen when he had a son. He was eighteen when he began to govern and command. The Black Prince was sixteen when he led a division at Crécy, and twenty-six when he won Poitiers. No wonder if the policy of a king at twenty was impulsive and capricious. Rather it is wonderful that Edward's diplomatic combinations against France should have been so skilful as they were.

For such spirits France offered far more tempting lists than rough Scotland, where unchivalrous barbarians broke the legs of the prisoner of war, or savage Ireland where kerne were to be chased through forest and over bog. Once more the French possessions of the king of England played their ill-starred part. To get the English out of Aquitaine, and thus round off the French realm, was a natural object of aspiration to a French king. But Philip pursued it unscrupulously, and by instigating the Scotch to attack England gave a cause of war which Edward was only too ready to embrace. Edward's claim to the crown of France through his mother Isabella was utterly untenable, since it involved at once an assertion and a denial of the right of females to succeed. It seems to have been set up rather as an engine of his military



policy than as a serious pretension. He was ready to negotiate about it, and more than once he neglected opportunities of entering Paris and assuming the crown. The results were a hundred years' war, with intervals of hollow peace, between two countries whose friendship was most essential to each other, and an enmity which continued even when that war had closed, helped to bring on other wars, and on the side of France at least has not died out at this hour. Such victories as Sluys, Crécy, and Poitiers exalted the spirit of the nation, brought it high renown, and extended its influence in Europe; yet they were dearly purchased by the humiliations which inevitably followed when the untenable conquest slipped away, and by the love of blood and rapine which, as the sequel proved, they bred. Wealth won by plunder is always curst, and curst in its effects on national character was the wealth which England won by the plunder of France. Lightly it had come, lightly it went. It produced for a time an outbreak of wasteful luxury with tasteless extravagance in dress, which was followed by impoverishment and depression. On France her king, in provoking Edward's pugnacity and ambition, brought worse evils; the devastation, sweeping and repeated, of her fields and cities by the cruel warfare of the day; the ravages not only of the invader but of the savage bands under robber captains which were the offspring of the war; the wreck of a civilization before blooming and full of hope; the terrible Jacquerie, or rising of the peasants, goaded to despair by the destruction of their harvests and the extortion of ransoms for their captive lords; and worse even than these, the destruction of political life and of the germs of political institutions other than the

monarchy. Beneath the protection of the monarchy the people were fain to cower, and it thus became a despotism gathering oppressions and abuses till all was swept away by the whirlwind of revolution.

The war, however, itself produced military changes which were not without political effects. A new force, comparatively democratic, appeared on the field of battle to break the ascendancy of the feudal horseman. One summer afternoon, on a rising ground, surmounted by a windmill, near the village of Crécy, there lay a small English army, brought by the errors of its king and commander into a desperate pass, out of which it had now to fight its way, as British armies have since more than once fought their way out of desperate passes into which their commanders had brought them. The mailed chivalry of England with their barbed chargers are there around their chivalrous king. But they have dismounted and fight on foot. In front is a body of archers armed with the long-bow, the force of which has already been felt on Scottish fields, but is new to the battlefields of continental Europe. They are men drawn from the yeomanry, many of them, no doubt, from the holders of land by villain tenure, which no longer implies personal degradation. They are seated on the ground to keep them fresh, and have been well fed by the care of their commander, who is a king of freemen and sees in them his companions in arms. The eyes of the whole army are turned towards Abbeville, the quarter from which the enemy is expected to appear. A heavy thunderstorm sweeps over the plain. As it passes away the enemy appears. His army, vastly outnumbering the English, consists of the chivalry of France under their king, a splendid cavalry; an in-

fantry of serfs, half-armed and unorganized, dragged by force from their hovels to the field, mere food for the sword; and a body of Genoese crossbowmen come to sell their blood for foreign gold. There is no discipline or control. The word is given to halt, but is disobeyed by the impetuous chivalry; and the whole host precipitates itself blindly on the English position. The Genoese are ordered to form and commence the attack, which they do unwillingly, being wearied by the long march without refreshment, while their bowstrings have been slackened by the rain. They form, however, and with a shout let fly their quarrels. They are answered by the English archers with a flight of cloth-yard arrows, under which they soon break and begin to fall back. "Kill me that rabble!" cries the king of France. The French chivalry, in its mad pride, tries to charge over the Genoese. Utter confusion ensues, and the French army becomes a struggling mass, into which volley after volley of arrows is poured with deadly effect, while a corps of Welsh light infantry, slipping among the fallen or helplessly jammed horsemen, finds the joints of the armour with its knives. The results at evening are a plain covered with the bodies of eleven princes and twelve hundred knights, besides men of the meaner sort without number. The effective range of the long-bow was greater than that of the fire-lock; its discharge was far more rapid than that of a muzzle-loader; as it required to be drawn to the ear, there could be no shooting without aim; the eye of the archer as he plucked the arrows from his quiver was not taken off his mark; there was no smoke to hinder his sight. No weapon ever did more execution. For a century, at the least, the English archery was supreme in



war, foreign or civil. A peasantry comparatively free and trained, trusted with effective weapons, a comparative union of classes, national feeling bred of national institutions, and comradeship of the king with his people formed the political elements of the war-power which won Crécy. Villani says that cannon were used in the battle. He is probably wrong, but they came in at this time, and were presently used in sieges. The cavalier of feudalism was dismounted, and its castle wall fell down.

At Sluys the English took, by boarding or hand-to-hand fighting, the whole of a vastly superior French fleet. This was almost as much a land as a naval action, the enemy being at anchor in his port. The victory over the Spanish fleet was not less brilliant and more naval. Edward paid attention to his navy, and the maritime character of the nation, which brought with it, besides general vigour and enterprise, security from invasion and exemption from standing armies with their political effects, made progress during this reign. 1340

The composition of the armies was a mixture of fast-receding feudalism with the advancing system of national administration. Tenants of the crown were still under the feudal obligation of bringing their retainers to the king's standard. The national militia was called out under the statute of Edward I. by commissions of array. These were home forces, but the men once called out were pressed or tempted to enlist for service abroad. Most of the troops, however, were raised by contract, either with warlike nobles who enlisted the men on their estates, or with professional captains like the condottieri of Italy. Enlistment was for the war only. All yeomen were practised with the bow. High pay was drawn by the

chiefs both for themselves and for their men. Thus national, feudal, and professional elements were blended in Edward's camp. The gaol also was made a recruiting ground in these as in much later times. As the war went on, and the demand for military skill and experience increased, the professional captains came to the front, supplanting the feudal lords. Among the famous lieutenants of Edward III., if the Earl of Derby was a grandee, Manny, Chandos, and Calveléy were simple knights, and Knolles, according to some chroniclers, was of still humbler birth. Some of these soldiers of fortune came home rich with spoils and built mansions wherein to tell their stories of Sluys, Crécy, and Poitiers.

Of ships the crown had but few. The war fleet was raised by a sort of naval commission of array. The seamen of the Cinque Ports were its core. On them rested the special duty of maritime defence. In return they enjoyed high privileges and honours, their barons carrying the canopy over the king at the coronation. They lived always in the face of maritime danger and were perpetually engaged in irregular and piratical if not in regular war. Edward's victories at Sluys and over the Spaniards brought the navy to a high pitch of glory.

1335 There was a political tendency again in the alliance with the manufacturing democracy of Flanders and its dictator, Van Artevelde, against the feudal Count of Flanders and the feudal monarchy and nobility of France. English fleeces fed Flemish looms, and wool was king then as cotton is king now. It was diplomatist as well as king, for it gave birth to the Flemish alliance. The pikes of Flemish burghers and mechanics

were destined to win over the French chivalry a victory almost as startling as that of the English bow at Crécy, though the pike in the hands of the burgher and mechanic failed to sustain itself like the bow drawn by the yeoman. It was in attempting to transfer the allegiance of Flanders to an English prince that Van Artevelde met his doom at the hands of a mob. Democracy, as yet, has no confidence in itself. It was partly to satisfy the demand of the Flemish burghers for the political shelter of royalty that Edward styled himself king of France. English alliance with Flanders was the counter-move to the French alliance with Scotland. 1345

The war with France could not fail to stimulate English nationality. English instead of French, hitherto dominant, is made legally the language of state, though the French still clings to its hold on the jargon of the law. English literature has now a new birth. Wycliffe is its first great prose writer. Chaucer is its first great poet. He is followed by Gower and Lydgate. The poor have a poet in Langland. Popular and patriotic ballads express the rising spirit of the nation. In the ecclesiastical sphere also nationality prevails and begins to shake off subjection to the papacy. The papacy had been captured by the French monarchy and placed under its wing in a huge castle of corruption at Avignon. Popes had come to be regarded as diplomatic tools of France. Englishmen said, "If the pope is on the side of France the pope's master is on our side." Papal intervention is treated with disdain. The payment of tribute to which John had forced the nation is renounced. When the pope lays Flanders under an interdict, the king sends English priests who cared not



for the interdict to perform service. By the statute of  
 1351 Provisors an end is put legally to the appropriation of  
 English benefices by the pope, and though, through the  
 connivance of the kings, who shared the booty with the  
 popes, the statute fails of its full effect, it shows the tem-  
 per of parliament. It will presently be followed by the  
 1353 statute of Præmunire, restricting under heavy penalties  
 appeals to Rome, and thus cutting off the main stream  
 of her lucre. More than this, there is a general move-  
 ment, provoked by the worldliness and vices of the  
 clergy, against ecclesiastical wealth and influence. Jeal-  
 ousy is shown of the engrossment by ecclesiastics of the  
 great offices of state. Laymen instead of ecclesiastics  
 are made chancellors and heads of the administration.  
 Nor, as will presently be seen, does the anti-clerical move-  
 ment end there.

Poitiers and other feats of arms might follow Crécy ;  
 the Black Prince might win in French fields the halo of  
 renown which still surrounds the mail-clad effigy recum-  
 bent on his stately tomb. His companions in arms,  
 Chandos, Manny, Knolles, Calveley, and the Captal De  
 Buch, might vie with the exploits of their leader, and  
 sweep fortunes from plundered and bleeding France.  
 The Round Table might gather round the warrior king  
 its circle of chivalry, nobler at all events than a circle of  
 Versailles courtiers or of old grandees invested mainly  
 by their rank in the peerage with a title which was  
 denied to Nelson. Castle, manor house, and cottage in  
 England might be full of French trophies and stories  
 of French fields. The end, nevertheless, was sure. The  
 conquest of France was a wild and mischievous dream.  
 It was never even steadily pushed to completion. At

last, the enemy having learned to avoid battles in the open field, it degenerated into a series of aimless raids over a country stripped too bare to feed the invader. Scotland in alliance with France hung always on the rear of England, though at Nevill's Cross she suffered total defeat and the capture of her king. The exhaustion of both sides was expressed by truces, during which armies, being unpaid, broke up into bodies of banditti, free companies as they were called, which pillaged at random and did not spare the pope. France found in Charles V. a prudent king, in Bertrand Du Guesclin a soldier skilful in the war of posts. Age paralyzed king Edward, mortal disease his heroic son. At last, of all that the sword and the bow had won, nothing but the preposterous claim to the French crown, except Calais, was left. Calais, to which England thenceforth passionately clung, had value as commanding the Channel in days when no waters were safe from piracy. Unfortunately it proved in after times the too alluring gate for a renewal of the mad scheme of conquest. 1346

The politics of the reign consist chiefly in stretches of prerogative on the part of the king to obtain money for the devouring expenses of his wars, met by fitful resistance and affirmation of right on the part of parliament. It is fair to remember that parliament had gone with the king into the war, and that it was ill-informed and ill-qualified to measure the necessities of war or government. It was so ill-informed as to assume that there were more than four times as many parishes in England as there were, and thus to over-rate fourfold the produce of a tax. It was haunted by a belief that the king could live, or ought to live, "of his own," that is, of the domains and

proprietary dues of the crown, which were by this time far from sufficing to defray the costs of government. The king was reduced to such straits that he had to pawn his crown, to become bankrupt, and by his bankruptcy to ruin the Bardi and Peruzzi, the two great financial houses of Florence. He tried arbitrary methods of raising money. In disregard of his grandfather's pledges he tallaged the domain towns. He empowered commissioners to receive fines, grant pardons, sell permissions to marry the wards of the crown, and gather money by all means that the feudal system provided. He laid his fiscal grasp upon commerce, which was still in a comparatively uncovenanted state. He laid imposts especially on the wool, which was the great article of trade, with a value almost like that of currency, as tobacco once had in Virginia. When he had been prevented from raising the money by a direct tax, he raised it by tricky arrangements with the merchant. It was for this purpose that he insisted on having all the wool brought for sale to a particular mart, or staple, fixed by royal order; a measure which is held to have combined the king's power of regulating commerce with his power of licensing fairs. He wrung money out of the feudal wardships, seizing upon those of mesne lords as well as his own. He exacted feudal aids for knighting his sons. Fines and penalties were another sinister source of his revenue. He abused purveyance, the oppressive and hateful privilege of taking for the king and his retinue wherever he went, carts, horses, and provisions at a nominal price, which was apt not to be paid. He raised forced levies and compelled the district to equip them. He seems to have tried not only special dealings with the



merchants, but assemblies of merchants, more manageable than parliament, to lend a colour of authority for his encroachments. For failing to supply his financial needs, he cashiered and persecuted his chief minister, Archbishop Stratford, and almost drove him to play the part of Becket long after date. With Stratford he waged a sort of pamphlet war, which showed that public opinion was alive. One consequence of the quarrel was the assertion by the lords of the right to be tried only by their peers. The parliament struggled with increasing obstinacy and success as the tide of the king's fortunes ebbed, and with it his personal ascendancy and the hold over the military aristocracy, which had made him almost irresistible for a time. Theoretically the parliament not only asserted but enlarged its rights. The king finally renounced the prerogatives of tallage and maletolt, that is, of taxing the domain towns and of laying imposts on merchandise, thereby rounding off in law at least the system of parliamentary taxation. He promised redress of the abuses of purveyance and impressment. He formally submitted to examination of his expenditure, to control in the appointment of his ministers, and to their being called to a regular account at the opening of the parliamentary session. He accepted in fact the leading principles of responsible government. But he seems, when pressed by his necessities, to have broken through his engagements; once he shamelessly cancelled, when parliament had risen, his assent to a remedial statute, avowing that he had been dissembling for the purpose of expediting business. So brilliant a personage it was difficult to bind. He seems, however, to have been pretty ready to assent, nominally at least, to anything except restrictions on his power of

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raising money. Devoted to war and glory, he had hardly any domestic policy except that of drawing supplies.

It is due to Edward III. at the same time to say that, whether it were for the purpose of his exchequer or with a larger and better policy, he did his best to foster trade. By war no one can really make trade flourish, since trade depends on wealth, which is destroyed by war. Edward made trade flourish, not by his wars but by his commercial diplomacy, especially by his connection with the Flemish looms and by his efforts to restrain piracy on the seas. He was repaid by the strength with which commerce supplied him in his wars. Commercial wealth is increasing, leading merchants are becoming great men. Instead of mere exporters of the raw material, the English are becoming manufacturers of wool.

1363 Sir Henry Picard, a vintner, entertains at his London mansion the king of England and two captive kings with a sumptuous feast, followed by gambling on a grand scale. The statute-book is full of commercial legislation, mostly protectionist and meddling, and therefore unsound; yet perhaps not so manifestly unsound or, it might be, so wholly devoid of economical justification in those days as it would be in ours. Forestallers and regraters rightly viewed were but middlemen, yet their tricks may have obscured the right view.

Parliament is in full activity. More than seventy writs for its meeting are issued during the fifty years of the reign. Its organization is being completed. It is now definitively divided into the two Houses, Lords and Commons, which sit in separate chambers. There are conferences between the Houses. Parliament is opened with a sermon from the chancellor, when he is an ecclesiastic,

something like the king's speech of later days. Debate seems to be becoming oratorical; at least Wycliffe puts into the mouths of politicians highly figurative invective against the wealth and immunities of the clergy. The House of Commons has its Speaker, to be its mouthpiece in addressing the crown and to preside over its own discussions. It secures its legislative authority by insisting that its petitions, the assent of the crown to which it makes a condition precedent of its grant of supplies, shall be embodied in regular statutes, so as to preclude surreptitious alteration. It is consulted by Edward III. on questions of peace and war to an extent to which it is not directly consulted on such questions at present; though the king's object was to make it responsible for the cost of his enterprises, as by a certain coyness in taking advantage of its privilege it showed itself aware. It is generally active in legislation. It reforms the abuses of the judiciary, both national and local, into which in those days of supposed romance corruption was always creeping, and supplies, perhaps, the surest remedy to the evil by voting sufficient salaries to the judges. It enacts that sheriffs whose abuse of their office is a perpetual subject of complaint shall not be appointed for a longer time than a year. To purge itself of jobs committed under cover of legislation it forbids the election of lawyers as knights of the shire. It excludes sheriffs, perhaps for a similar reason. It obtains the sanction of the crown to a treason law, strictly defining the offence, which, while it remained in effect, was one of the great safeguards of liberty. Royal judges had been construing doubtful acts or loose words as treason, which entailed forfeiture of estate to the king. The commons show themselves distinctly con-

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scious of their representative character, telling the king that they must consult their constituents before agreeing to his demands. There is a tendency to complete amalgamation between the two elements of the House of Commons, the knights and the burghers, knights being elected for towns. There is also a tendency to alliance between the lay lords and the commons against the clerical element which predominated in the Lords' House.

At the same time the House of Commons showed plainly that it was an organ of the governing and employing class. Labour having become scarce, and its price having risen after the decimation of the labourers by the fearful ravages of the Black Death, parliament  
1349 passed an act, the first of a series, to regulate wages and compel the labourer to work at the old rates. The notion that the regulation was impartial, and a proof that the economical and social policy of those days was in a higher spirit than ours, is manifestly absurd, when the avowed object of the statute is to prevent the demand for excessive wages, and when the penalties are imposed only on the labourer for demanding higher wages than the statute allows, not on the employer for giving lower. A subsequent statute indeed imposed a penalty on the employer; but it was for giving wages above, not for giving them below, the legal standard. The statutes of Labourers were accompanied by sumptuary laws, ostensibly to repress luxury, but in reality, it is probable, as much with a view to preserving the distinction of classes, and preventing the burgher or yeoman from treading on the gentleman's heel.

Taxation has been passing from the rude feudal system of tallage, carucage, and scutage, to the simpler and

more modern form of a subsidy or property tax, granted by parliament and levied on a regular assessment, together with duties on wool and customs on merchandise. The change could not fail, besides its fiscal advantages, to facilitate the political action of the assembly by which the grants were made, and which was enabled to control government by a regular bargain for redress as the condition of supply. Taxation, as it were, showed a front against which reform might move. The nation was enabled to measure its burdens and to see what a policy cost. The awkward practice, however, remained of granting subsidies in kind, the tenth sheaf, the tenth lamb, and the tenth fleece, as tithes were taken till recent times.

To Edward or his ministers belongs the credit of completing the institution partly introduced by Henry III. and Edward I., of justices of the peace, of which Coke says that "the whole Christian world hath not its like." The justice took the place of the hundred court. When soldiers, some of them originally convicts, were returning from raids in France, the justices of the peace were sure to have work enough.

The last years of the reign were sad. The conquests were lost. The Black Prince, not satisfied with France as a field of bootless adventure, had carried his Quixotic arms into Spain as the ally of the tyrant Pedro the Cruel, whom his fancy seems to have invested with the character of a representative of legitimate right. He had won a barren victory, tasted of a tyrant's ingratitude, lost half his army by disease, and ruined his own health. The victor of Poitiers and Navarette came home to England to die. Philippa, Edward's noble consort, the light of his court and camp, whose intercession saved him from the

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1369 disgrace of hanging the burghers of Calais, was dead ; and her place at Edward's side was profaned by the harlot Alice Perrers. The princes in whose hands the king's policy had accumulated the great fiefs would, he fondly hoped, become pillars of the throne. This family compact was to be exalted and strengthened by the introduction  
1337 of the high title of Duke. But the result was a crop of ambitious rivalries, rather than loyal support ; and the train was laid for jars, out of which came fierce family feuds, and at last dynastic war.

John of Gaunt, Duke of Lancaster, Edward's fourth son, by marriage with his kinswoman, Blanche, had succeeded to the earldoms and the vast possessions of the house of Lancaster ; to these by a second marriage he added an imaginary claim to the kingdom of Castile and Leon, his attempts to assert which cost the country dear. When the king was sinking into dotage, and when the Black Prince was dying and leaving only one child as  
1376 his heir, Lancaster seized the government ; not, it was suspected, without still more ambitious designs. He affected religious or at least anti-clerical popularity, and though himself a loose liver as well as a political intriguer formed an alliance with Wycliffe and the religious reformers, while he courted the harlot, Alice Perrers. His attacks were specially directed against William of Wykeham, Bishop of Winchester, a characteristic figure of the age, bishop, minister of state, and architect royal, the founder of New College and Winchester School, the builder of Windsor Castle, and the most respectable of the prelate statesmen of his day. The Black Prince dragged himself from his sick bed to lend his authority to reform and to secure the right of his child.



The Good Parliament, as the Speaker of which Peter De La Mare won renown, drove the Lancastrians from power, banished Alice Perrers from the court, and in arraiging the chief instruments of corruption, Lord Latimer the chamberlain and Lyons the financial agent, won for parliament the momentous power of impeachment. Lyons did not want the effrontery to send a large bribe to the Black Prince, which the Black Prince returned. The Good Parliament also insisted on other reforms, notably on one which lay at the root of all, the free election of knights of the shire, untrammelled by the dictation of the sheriff, through which Lancaster had no doubt been packing the House of Commons. A demand for the enforcement of the statute of Labourers at the same time betrayed the class character of the assembly. After the death of the Black Prince, Lancaster contrived to pack a new House of Commons, and the work of the Good Parliament was undone. The death of the king, in whose name the misgovernment was carried on, broke up the conspiracy of corruption, put Alice Perrers once more to flight, and opened a new scene.

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## CHAPTER XI

### RICHARD II

BORN 1366; SUCCEEDED 1377; DEPOSED 1399

WE are drawing towards the end of the middle age. In England this is the dawn of the Renaissance, while in Italy the sun is high. Chaucer's joyful note is heard like that of the lark heralding the day. In the statutes of William of Wykeham for his college we find a care for the teaching of grammar, which has been generally held to indicate dawning regard for classical education. Gothic art has reached the last of its successive phases of beauty.

The religious part of the medieval organization has given way; the faith which sustained it has been growing weak, and ceasing to elevate character or inspire noble action. The church shows in increasing measure the evil effects of political establishment and wealth. The clergy have become worldlings, imitators of lay luxury, attire, and sports. Of the bishops, about the best are Courtenay and Wykeham, and these are not spiritual fathers, but worthy statesmen. If the episcopate had ever been the serf's door to high place, it was so no longer, for the bishoprics were filled by rank and family interest. Chaucer's "Poor Parson" is, like Rousseau's "Vicaire Savoyard,"

evidently an ideal and a rebuke to the reality. The friars, once the best, are now worst of all. Their ascetic mendicancy has sunk to mendicancy without the asceticism. They have become peddlers of false relics, vendors of indulgences and spells, casuistical corrupters of morality, and low agents of intrigue and conspiracy. Society in England has been demoralized by the French wars, everywhere it has been shaken by the Black Death.

The Pope has been sinking from the position of a supreme and impartial head of Latin Christendom, which he once asserted, into that of a vassal of France. He has been deserting the chair of St. Peter and in his unhallowed retreat at Avignon amassing wealth by sale, more flagrant than ever, of ecclesiastical justice with its complicated chicaneries, and by increased abuse of his assumed privilege of appointing to bishoprics and benefices. The great schism in the papacy comes to complete its degradation. The papacy once professed to reform the kingdoms of the earth. The kingdoms of the earth are now called to reform the papacy. In England national spirit has risen against the pope and all that belongs to him. His demand for the arrears of the tribute due to him as sovereign of England in virtue of the surrender of the kingdom by John has been met with proud and unanimous refusal. There has been a movement against the employment of ecclesiastics in offices of state. There are ominous symptoms of a desire to lay hands on the useless wealth of the church. It seems that England is beginning to detach herself from the papal confederation.

Wycliffe appears upon the scene, a preacher not only of spiritual reform, but of ecclesiastical revolution, perhaps in his own despite of social revolution also. He was



a professor of theology and religious philosophy at Oxford, famous in his time, and thought worthy to be ranked with the great schoolmen. He forms round him a company of young and ardent disciples, whom he calls his Poor Priests, and whom he sends forth to combat the malignant influence of the degraded friars and restore the life of religion. The boldness of Wycliffe and his disciples as doctrinal innovators is astonishing. They are in advance not only of their own, but of later times, almost of the present. They assailed the idolatry of the Mass and the sacraments generally, the validity of holy orders without personal grace, the celibacy of the clergy, vows of chastity, auricular confession, the use of exorcisms and benedictions, purgatory, indulgences, prayers for particular dead persons, pilgrimages, and image-worship. "This new and pestilent sect," says a reactionary bishop in founding a college for the defence of orthodoxy, "attacks all the sacraments and all the possessions of the church." It attacked the possessions of the church in attacking the sacraments, on the belief in which the power and wealth of the church depended. The wealth and secularism of the clergy were the objects of Wycliffe's direct hostility. He was a reformer rather than an apostle; his hand held the fan which purged the threshing floor rather than the torch which kindles religious love. He who wishes to change mankind must bring to bear a new motive power. Wycliffe's system lacked a positive doctrine like Luther's Justification by Faith, Calvin's Predestination, Wesley's Love of the Saviour. It lacked, also, the wings of printing to waft its message abroad. The movement, therefore, came and departed like the shock of an ecclesiastical earthquake. The translation of the Bible was its chief

fruit, and most momentous as giving an appeal from priestly authority to the Word of God. But it had a social as well as a religious side, and in this way took immediate and terrible effect.

The boy Richard came to a throne still strong and gilded with the lingering rays of the sun of Crécy, but to a bad and dangerous state of things. The government was discredited by defeat ; the French had been attacking the southern ports ; the finances were embarrassed. The social world was out of joint. The author of "Piers Ploughman" is, no doubt, an honest though querulous and unmelodious censor. He describes a period of greed, oppression, knavery, and bad relations between classes. Scarcely had the new reign begun when there came on a social storm, in which it seemed for a moment that society would be wrecked. The strikes and industrial disturbances of England at the present day, though they alarm us, are mild and little dangerous compared with the Revolt of the Serfs. For a parallel to this, to the Jacquerie of France, or the Peasants' War in Germany, we must look to the French Commune, or imagine Anarchism for an hour triumphant and giving effect to its dreams of havoc. It seems that the system of villainage, that is, of holdings under a lord, paid for by forced labour, had been going out. Forced labour was found to be little worth, and the villain wandered from the manor to the town, or perhaps to the camp. The system of hired labour had been coming in. When by the scarcity of labourers after the Black Death wages were raised, a parliament of employers had tried by statutes of Labourers to keep wages down to old rates. This failed, as it was sure to fail. The land-owners, in what way does not clearly appear, used

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their manorial rights to put the screw on the villains. 1381 The villains rose in revolt. This is deemed the probable cause of the outbreak, so far as the outbreak was economical. The demand of the insurgents accordingly was for the abolition of villainage and for the allotment of land at a fixed price, so that they in some measure anticipated the agrarianism of the present day. In Kent, where their revolt broke out, villainage did not exist. But their demand was necessarily for something tangible; they could not have framed a petition for a new heaven and a new earth. It was a time of general discontent and unrest among the labouring classes. The agitation was likely to be increased by the presence of a number of disbanded soldiers, against whom the harsh vagrancy law which accompanied the statute of Labourers may have been partly directed, and who would bring back high hearts from fields of victory. Perhaps they brought also tidings of the revolt of the commons in Flanders and of the French Jacquerie. A wave of social disturbance seems to have been sweeping over Europe. The soundness of the manorial system depends upon the presence of the lord and his performance of his duties to his dependents; and the English landlord had been drawn away to the camp of Edward and to his gay court, as the French nobility were afterwards drawn away to Versailles, probably with a similar result to their local connections and influence. The bishops were politicians and courtiers, neglecting their dioceses, sometimes hardly going near them; and the sequel showed that neither the parochial clergy nor the monks had retained their hold upon the people. The monks had in fact by their impropriations of tithes greatly impaired the parochial system, while



between the abbeys and the people, especially in the towns, petty litigation about rights and franchises was always going on.

There was, perhaps, a deeper cause than these, and one which comes more home to us at the present day. Wycliffe had preached a spiritual communism of a rather mystical kind. This became material communism in the preachings of his coarser and more violent disciples, such as the clerical demagogue, John Ball, whose text was

When Adam delved and Eve span,  
Who was then the gentleman?

A sense of the unjust inequalities of the human lot, and a desire to redress them by force, had then taken possession of the minds of the masses. Gospel communism presented an ideal. The people seem to have dreamed of nothing less than the extermination of the governing class and the destruction of all existing titles to property, so that the world might be again as in the days of Adam and Eve. Plan of political reform or reconstruction they had none. While they massacred and plundered the gentry and the hierarchy, whom they regarded as their oppressors, they professed a childlike loyalty to the king. They even, with the usual inconsistency and infirmity of mobs, wished to have gentlemen for their leaders and forced one or two to take that part. The political watchwords of the insurgents were not uniform. Some shouted for Lancaster, others thirsted for his blood. There was a miscellaneous alliance of all the elements, general and local, of peasant discontent.

A poll tax, the desperate resort of a government in financial despair, brought the evils of the administration

home to the feelings of all. An insult offered by one of the assessors to the daughter of Wat Tyler, a workman  
1381 of Kent, is supposed to have been the spark which fired the mine. The rapidity with which the conflagration spread through the south, east, and north showed that the hearts of the peasantry were in a highly inflammable state, since concert was hardly possible where there was so little of mutual intelligence and communication was so slow. An appalling reign of havoc, murder, and incendiarism ensued. Lawyers as the guardians, and legal documents as the muniments, of the established order of things, were the special objects of rebel fury. No lawyer was spared. The very possession of law papers and even of pen and ink was death. A large body of insurgents under Wat Tyler made themselves masters of London, the gates of which were opened to them by a sympathizing populace, and there revelled in atrocities which anticipated the Faubourg St. Antoine. Sudbury, the chancellor, was butchered with double gusto, being at once the head of the law and an archbishop. Authority was paralyzed. The garrison of the Tower, six hundred men-at-arms and as many archers, tamely allowed the rioters to enter the fortress and insult the king's mother in her own chamber. If we can believe the common account, the capital of the country was saved by the courage, presence of mind, and decision of a king of fourteen, who, at the critical moment, rode forward and cast the spell of royalty over the wavering minds of a savage and masterless crowd.

Richard appeased the peasants and persuaded them to  
1381 disperse by granting them charters of manumission, a measure irregular, of course, since the king could not by

himself alter the law of property, but warranted by the crisis. These the parliament cancelled by a unanimous vote, showing once more that it represented the dominant class. As suddenly as the vast waterspout had formed, it broke. Authority and law resumed their sway, gathered up the relics of their muniments, and plentifully avenged with the gibbet and the axe their overthrow and disgrace. Despenser, the warlike Bishop of Norwich, was conspicuously active in repression, maintaining his double character by shriving a prisoner before he turned him off. Grindecobbe, a serf of St. Albans, shines amid the wreck of his cause; a peasant hero, willing to give his life for the liberties of his class. The peasants did not succeed in levelling the inequalities of the human lot. How far they succeeded in getting rid of villainage is a moot point among economical historians. That they did not at once gain its total abolition there are subsequent facts to show. Legislative war continued to be waged by a parliament of employers against the emancipation of labour. Statute after statute was passed fixing the rate of wages, punishing all who took more than that rate, and striving to bind the rural labourer to the soil by means of rigorous vagrancy laws and prohibition of apprenticeship to trades. But natural forces prevailed. Escape was open to the serf from the manor to the town, a year's residence in which barred his lord's claim to him, to the camp, to the sea. The superiority of paid to forced labour would make itself felt, as it has in the Southern States of America, where cotton has gained by the abolition of slavery. Gradually emancipation was brought about. At last nothing remained of villainage save the legal curiosities of copyhold.



The reign of Richard II. is a mystery, sometimes an impenetrable mystery, of intrigue, cabal, and treachery, showing that the age of fealty is passed and that religion is losing power. The general key is the growth of that oligarchy of magnates, the chief of them belonging to the royal family, with vast possessions and high titles, such as duke, marquess, and earl, which overshadows the old baronage, and competing for possession of the government crowds the scene with faction and intrigue. The same force which Richard displays in confronting Wat Tyler's insurgent host he displays by fits in after life, but it alternates with weakness. Kingship in his teens had spoilt him. His impulses were wild. In the middle of his wife's funeral in Westminster Abbey he strikes a noble; he challenges four lords to fight; he assaults a judge; kicks a nobleman's cap across the room. His delicate features, hesitating speech, and easily flushing face, are the outward signs of a temper passionate and irresolute. Heir of a splendid throne, he is, as Shakespeare paints him, full of the divinity of kings and inclined to assume the god. Probably he was too fond of pleasure and pageantry. He was young, and England was feeling the voluptuous influence of the Renaissance. He had bad companions in his two half-brothers the Hollands. His household was probably too expensive. That he had ten thousand guests at his table and three hundred cooks must have been a calumnious fable. When the king's household comprised the only bodyguard which he had, it might well without abuse be large. Richard's government paid for Crécy and Poitiers; it inherited a disastrous war, with its ruinous expenditure, and the danger of invasion. It seems that his inclination to peace with

France, wise though it was, and a redeeming feature in his history, injured his popularity with a nation inflamed by conquest and ignorant of the cost.

Round the king was a court party of men whom the opposition perhaps with truth called favourites, though not all of them were unworthy, either not nobles or nobles of secondary rank, such as De Vere and Simon Burley in the early part of the reign, the Earl of Wiltshire, Bagot, Bussy, and Green at the end. These men strove to keep power in the hands of the king, upon whose favour they throve. On the other hand, there was the high nobility, the group of magnates with the princes of the blood at their head, with their grand titles, with their immense revenues, with hosts of retainers in their livery, full of feudal pride, and rendered restlessly ambitious by the game of conquest played on the French board. The contests of these oligarchical groups for ascendancy, their hereditary feuds, cabals, and mutual assassinations, henceforth fill the political foreground, though in the background is still the parliament. It was the aim of these men to keep the king in tutelage as long as possible. This they effected through a parliament which they no doubt controlled. When the king had broken through the leading strings they formed conspiracies to get government out of his hands and into their own. At first the Duke of Lancaster was their leader, he who, in the last reign, had intrigued on one side with Lollardism, and on the other side with Alice Perrers and her crew, and whose sinister movements had called the Black Prince from his dying bed to the rescue of the country and his heir. Lancaster seems to have been sickened of patriotism by the insurrection of the serfs. He was,

moreover, diverted from the English field of his ambition by his mad attempts to win the crown of Castile. His brother, Gloucester, took his place as leader of the oligarchical opposition. In the combinations and revolutions which ensue, the motives of the actors are evidently selfish, and treachery is the order of the day. The chancellor and the chief minister during the early part of the reign was Michael De la Pole, who, so far as we can see by the light of imperfect and partial chronicles, may have done his best in a situation full of military disaster, financial difficulty, and popular discontent. But he was not one of the high nobility; his father had been a merchant; he was regarded as a trader, not a gentleman, though he had fought under the Black Prince; and to the grandees his elevation was an offence. His growing wealth gave a handle for suspicion. He was impeached for corruption and deprived. On pretence of reforming abuses, of which, especially in the royal household, there was very likely reason to complain, the king was practically deposed and  
1386 government was put into the hands of an oligarchical commission with Gloucester at its head. Richard, chafing under the yoke, organized his party in the country, distributed his White Hart badges, and obtained a judicial opinion against the legality of the commission. His movement was premature and failed. Hereupon the  
1388 junto, in the parliament well called "Merciless," impeached the leading friends of the king and judicially murdered such of them as it could get into its hands, thereby stamping its own character and motives.

The oligarchy seemed completely triumphant, but it may have been weakened by internal jealousies and it would almost certainly make itself odious to the nation.



Suddenly, emerging as it were from a cloud, without encountering any resistance, Richard resumed his power. 1389  
 He used that power with moderation, abstained from reprisals, and for eight years ruled as a constitutional and apparently not unpopular king.

At the end of that time Richard lost his queen, Anne 1394  
 of Bohemia, whose loss, Froissart says, he greatly felt, since, wedded as boy and girl, they dearly loved each other, and whose affection while she lived may have influenced him for good. As his second wife he took Isabella, daughter of the king of France. The alliance may 1396  
 have inspired him with French ideas of royalty, and at the same time exposed him to popular suspicion of too much friendliness to France. There was reason to believe that the unquiet ambition of the Duke of Gloucester, the king's uncle, was plotting with the Earls of Arundel and Warwick. Richard suddenly arrested them all, had Arundel condemned to death, Warwick to imprisonment 1397  
 for life. Gloucester he sent to Calais, where the duke immediately and conveniently expired. The person of Arundel, Archbishop of Canterbury, the earl's brother, was protected by his order; but the pope was so obliging as to send him into exile by translating him to the nominal see of St. Andrews. The king made the parliament 1397  
 reverse all the acts of its predecessors directed against his authority and his friends. Not content with this he proceeded, in an access apparently of absolutist frenzy, to overthrow the constitution. He made parliament vote 1397  
 him a revenue for life. He made it delegate its own powers to a committee of eighteen under his control. He made it declare the deposition of Edward II., which the oligarchs had cited to him, null, and repudiate the

deposing power. He made it stretch the treason law so as to embrace anything that could be called compassing the deposition of a king. He made it grant him the wool tax for life. The parliament which thus committed suicide had no doubt been packed by the sheriffs, by whom the county elections were held; a peril inherent in the constitution, when there was no settled authority or strong organ of public opinion to guard the guardians of the franchise. Parliament sat surrounded by the king's archers, and was carried away to the borders of Cheshire, a wild district and a palatinate royal.

Henceforth Richard reigned as a despot, and from the hatred which he evidently excited, and the unanimous rejoicing at his overthrow, we may safely conclude that by him and the adventurers whom he had called to his councils great excesses were committed and the country was grievously misgoverned. He had still reason to fear combinations among the grandees. To get rid of these he took advantage of a mysterious quarrel between the Duke of Hereford, the son of John of Gaunt, Duke of Lancaster, and the Duke of Norfolk, by first allowing a trial by battle to be appointed them, and then banishing them both. Strangely enough, in fixing the term of banishment he discriminated in favour of his really formidable enemy, the Duke of Hereford, heir of the Lancaster tradition of opposition to the crown, and one of the five appellant lords who in the Merciless Parliament had brought the friends of the crown to the block. Yet Richard drove the duke to despair by the perfidious confiscation of his heritage. He also embroiled himself with the Percys, whose earldom of Northumberland was a petty kingdom in the north, the last genuine relic of the feudal system, with its

patriarchal prince holding his rude court at Alnwick and Warkworth. Having thus charged the mine under his throne, Richard allowed himself at the critical moment to be lured to Ireland, and was called back to find that he had lost his crown to the profound and plausible intriguer whose wrath he had defied, and who in his absence had landed in England. 1399

For the second time parliament exercised the deposing power, making another precedent for aftertimes of parliamentary resettlement of the succession, though a nominal satisfaction might be afforded to legitimism by Richard's resignation. The principal charges against him are those of suspending parliament by a committee of his creatures, tampering with the elections through the sheriffs, and putting himself above the control of parliament by giving himself the wool tax for life. He was also charged with abuse of purveyance and with over-riding jury trial by military law. Arbitrary interference with the jurisdiction of the ecclesiastical courts was a count, no doubt, inserted to requite the hierarchy for their share in the revolution. Henry of Lancaster mounted the throne, as did William the Third after him, by a parliamentary and revolutionary title wrapped up in ambiguous language. All absolutist acts or resolutions and all new-fangled treasons were swept away. Whatever coronation pomp and the anointing of the new king with oil miraculously given to St. Thomas Becket in his exile could do to make up for the lacking halo of legitimacy was done. It was not a good omen for religious liberty that Archbishop Arundel, the chief of persecuting high churchmen, led the new king to the vacant throne. Richard was consigned to prison at Pomfret, and insurrection in his favour having 1399



broken out among the restless magnates of his party, he ceased to live.

That "all the water in the sea could not wash the balm from an anointed king or the breath of worldly men depose the deputy elected by the Lord," was no doubt Richard's sentiment. It appears that something like royalty by divine right was his idea, and that his tendency was absolutist, though we must make allowance for the circumstances of his struggle with a factious and unscrupulous oligarchy which sought to strip the monarchy of its rightful power, not in the interests of the people, but of its own. Whatever his policy was, while he showed fitful force and ability he was utterly lacking in steadiness and self-control. He had evidently at the last set not only the oligarchy but the nation against him. In the early part of his reign, at the time of the insurrection of the serfs, he appears to have sympathized with the people, and he certainly deserves the credit of a policy of peace with France and of much needed attention to the affairs of distracted Ireland.

## CHAPTER XII

### HENRY IV

BORN 1366; SUCCEEDED 1399; DIED 1413

“UNEASY lies the head that wears a crown.” Into no mouth better than into that of Henry IV. could Shakespeare have put those words. Henry was a strong, enduring man, and fearfully were his strength and endurance tried. Often must he have asked himself whether the glittering prize which he had won was worth the price which he had paid for it, and which was terribly high if, as we can hardly doubt, well as Pomfret castle has kept its secret, it was by his order that Richard died. He mounts the throne with a revolutionary title, while legitimacy has a claimant living in the person of the infant Edmund Mortimer, Earl of March, the representative of Lionel, Duke of Clarence, second son of Edward III., whereas John of Gaunt, Henry’s father, was the fourth. He was loaded with the impracticable promises of reform and faultless government by which his election had been gained. From Richard’s grave rises a spectre lending a phantom chief and the name of royalty to rebellion. Henry has hardly seated himself on the throne when oligarchical conspiracy again raises its hydra heads. 1400 His popularity, still fresh, puts it down, and the conspirators are massacred by the people, a strong, though evil, proof of the national demand for the revolution.

But when his popularity is no longer fresh, the hydra  
1403 rises again in more dangerous forms. The Percys, find-  
ing that the man whom they had raised to the throne  
instead of being their creature, as they thought, meant  
to be king, determined to dethrone him. Special grounds  
of discontent also they may have had, sufficient to set  
working the wayward pride of a great lord with his  
worshippers about him in his castle-palace in the wild  
north. They ally themselves with the foreign enemies  
of the realm in Scotland, and with the rebels in Wales.  
They raise the Cheshire archers, who still cleave to the  
White Hart. Upon the bloody and perilous day of  
1403 Shrewsbury, the fell commencement of a long era of  
civil, or rather of aristocratic, war, Henry fights, not  
only for his crown, but for the unity of the realm. On  
that fatal field, where the bows of Crécy and Poitiers  
were drawn against English breasts, and the forces of  
the nation were wasted in intestine strife, a monument  
ought to stand warning England against faction.

Nor when "Harry Hotspur's spur was cold" was that  
the end. Scrope, Archbishop of York, the man who had  
1405 read Richard's resignation to parliament, gets up another  
rebellion in the north, of which the manifestoes are worth  
about as much as the pronunciamento of a rebel aspirant  
to the presidency of a South American Republic. Scrope  
and his clerical confederates may have been exasperated  
by the heavy draughts which the king made on clerical  
revenues; they may have believed his government to  
be secretly inclined to the confiscation of church prop-  
erty; or the archbishop, a political and military prelate,  
may simply have shared the mutinous and intriguing  
1405 spirit of the oligarchy. He paid the forfeit of his head.



Since the growth of clerical wealth and the decline of clerical virtue, the criminal immunities of the clergy, a great proprietary, hardly less secular than the rest, had become more than ever unreasonable, and had begun to be less respected. At the beginning of this reign they had, under the plea of pressing danger, been suspended, and priests and friars had been put to death for treason without serious protest. In the last reign archbishops and bishops who mingled in the political fray and whose party was vanquished, while their lay fellow-conspirators lost their heads, had only been stripped of their temporalities and banished under colour of translation by the pope to mock sees in Scotland or Ireland. At the execution of Scrope, a shock, of course, ran through the ecclesiastical frame; equally as a matter of course miracles were performed at his tomb. The king had to make formal satisfaction to Rome. A little money, it seems, had to be used in that quarter. But no moral earthquake ensued. The age of Becket was past. The execution was a strong measure for that day; to call it judicial murder seems too ecclesiastical. Scrope was taken in armed, unprovoked, and criminal rebellion. Whatever might be his avowed aims, there could be no doubt that he and his party, if successful, would have dethroned the king. The trial was merely formal, and as the archbishop was a peer and entitled to trial by his peers, irregular; but there could be no doubt as to the facts. The coat of mail in which the archbishop had been arrested was sent to the pope, with the question, "Is this thy son's coat?" Nor was the moral force of that argument touched by the pope's smart answer, "An evil beast hath devoured him." Was the country

to be devastated and dismembered with impunity by political intriguers styling themselves apostles of the religion of Christ?

Against the last strongholds of anarchic feudalism the king's battering cannon served him well. Artillery was a royal arm, and its ascendancy added, and will henceforth add, to the power of the crown.

1402 At the same time there was smouldering hostility with France, though the danger from that quarter was presently dissipated by French faction. There was chronic war with the Scotch, who at Homildon gave the English archer another opportunity of showing his ability to encounter cavalry in line, and the superb ascendancy of his arm. The king himself was perpetually being called into the field by an obscure but arduous, and for some years unsuccessful, struggle with Welsh disaffection, which, taking advantage of the civil troubles, raised its head again in the wild mountain districts and found a congenial leader in Owen Glendower, a redoubtable though somewhat bombastic personage, a chief thoroughly Celtic, in whose house "it snowed meat and drink," and about whom were current marvellous prophecies of Merlin. Shakespeare has painted Glendower well. In these campaigns the king shared the dangers and hardships of the common soldier. Europe was torn by the great schism in the papacy and Henry was called upon to labour with the other sovereigns of Christendom for the restoration of peace and unity to the church. His load of work, administrative, legislative, diplomatic, and military, must have been immense, and he seems to have borne it alone; at least we read of no one who shared it with him. Of his original supporters Arch-

bishop Arundel remained at his side and was chancellor during the greater part of his reign; but even on Arundel's loyalty suspicion fell, and his aim was probably rather that of a reactionary prelate needing royal support in the repression of heresy and defence of church wealth than that of a devoted minister of the throne. Henry's boys, two of them at least, were madcaps who gave him trouble with their pranks; and between him and his heir, Prince Henry, there was for some time an estrangement which must have added to his burden of cares, even if the prince did not wish too early to wear the crown. To shake his nerves, assassination as well as conspiracy beset him, and a caltrop, believed to be poisoned, was found in his bed. Nerves perhaps in those days were not so sensitive as they are now, yet it is not wonderful that Henry's health should have broken down in middle age. It may be, too, that remorse gnawed him, and was the secret cause of his desire to expiate the sins of his life by ending it as a crusader in the Holy Land. It seems that this desire was unfeigned and that he even hoarded money for its accomplishment.

Henry of Lancaster, offspring of a popular house and of a popular revolution, was of all the kings in the middle ages the most constitutional, and of the powers of the medieval parliament his reign is the high-water mark. The promise made for him at his accession by Archbishop Arundel of a reversal of the arbitrary ways of Richard was faithfully fulfilled. He studiously courted the Commons. He endured with patience the pedantic homilies of their incomparable Speaker, Sir Arnold Savage. He permitted them to inquire into the mismanagement of his household and with punctilious patriotism to dismiss



the foreign attendants of his queen. He permitted them to inspect and audit his accounts, to share his counsels about peace and war, to appoint special treasurers for the application of the war subsidies, at last even to control the composition of his council. Had their measures taken full practical effect, little would have been left him of royalty but the crown. He probably managed to soften the measure in the execution. The lives of parliaments were short; royalty lived on, and when the session was over might regain its power. The king, in fact, alone could govern, and we can hardly look on the Lancastrian constitution as a settled anticipation of that dependence of the executive on the majority in the legislature which now prevails under the name of cabinet government.

Henry was requited for his compliances by the unswerving allegiance of parliament, amidst all the conspiracies and rebellions. On the other hand, the Commons were liberal of criticism and chary of supplies, underestimating the growing necessities of a government always at war with Scotland or France, or both, contending with Welsh rebellion, maintaining an expensive post at Calais, and performing the guardianship of the seas. The Commons lacked information; they, like all ruling assemblies, lacked personal responsibility, which rested on the king alone. The notion still prevailed that the king was to live "of his own." His "own" comprised the estates of the crown, much dilapidated by grants; the revenue of the duchy of Cornwall and the earldom of Chester; the old feudal perquisites, reliefs, aids, forfeitures, escheats, custody of feudal estates during minority, hands of heirs and heiresses for sale; fines

and fees of various kinds : the whole roughly reckoned at about twenty-three thousand potnds. To this are to be added the customs allowed the king as guardian of the sea, and amounting to about forty-two thousand pounds. Manifestly if the king could live on this, his government, with all the claims upon it, could not. But for anything beyond it was necessary to go to the Commons for subsidies with the plea of extraordinary need, of the validity of which the Commons were ill qualified to judge. Henry had to contend with the belief that he had inherited a great treasure from his predecessor. In dealing with Welsh rebellion and danger from abroad, the arm of his government was always shortened by want of money. It was apparently to ease himself of the pressure of parliamentary opposition that the king sometimes called great councils of peers and notables by letters under the privy seal. The great council survived, though superseded in supremacy by parliament, and the kings, when parliament was fractious, were inclined to turn to it, as, long after this, did Charles I. But the elective principle was by this time too strong for circumvention.

A more equivocal ally than the knights of the shire Henry found in the church, which was ready to accept his aid against the heresies of Wycliffe and the Lollards, still more against the attacks on ecclesiastical wealth, seriously menaced not from the quarter of the Lollards alone. Startling to the catholic ear and subversive of the sacerdotal system as Wycliffe's doctrines had been, the bishops did not at first show much inclination to persecute. They were most of them men of the world, probably little interested in theological questions and little

zealous for the faith; they were made timid by the growing unpopularity of their order and the multiplying signs of a disposition to relieve it of its riches. They allowed Wycliffe to end his days a rector and in peace. Nor did the Lollards much court martyrdom; the number of those who recanted or were won over exceeded the number of those who suffered. Doctrinal Lollardism there still was, even in the household of the king, who had to apologize for the impiety of some of his gentlemen in turning their backs on the procession of the Host. But social and economical Lollardism, which denounced the unspiritual opulence of the ministers of Christ and proposed to relieve the taxpayer by the confiscation of ecclesiastical estates, found more numerous disciples and was more formidable to the clergy. As the creed of Wycliffe's poor priests with their obscure conventicles, Lollardism might be disregarded by the hierarchy; as the stalking-horse of a party of confiscation it could not. Henry's father had coquetted with it for a political purpose, and such was the natural line of what would now be called a great Whig house. But Henry needed the support of the hierarchy against the oligarchy, and Archbishop Arundel, the leader of the party of intolerance, chief minister during the greater part of the reign, was allowed to have his way except when he protested against the execution of Archbishop Scrope. Heresy, it may be said, had always been treason against a state identified with the church. We have seen that in the reign of Henry II. some German heretics, though not put to death, were scourged, branded, and turned out to die. But a formal statute for  
1401 the burning of heretics was now passed, at the instance of the clergy in convocation, with the concurrence of the



Commons, the majority of whom were probably as ready to purge themselves of heresy as they were to strip the church of her wealth. The first to suffer was Sawtre, who was thus the protomartyr of protestantism in England; 1401  
 the second was Badby, a mechanic, who maintained that 1410  
 the Host was not the body of Christ but a lifeless thing, less worthy of reverence than anything, toad or spider, that had life. Ecclesiastical hypocrisy observed the usual form. The church did not burn the heretic; she gave him to the state to be burned. Lollardism, being persecuted, naturally became disloyal and broke out into insurrection at the beginning of the next reign.

One of the mysteries of the period is the conduct of the friars, who in spite of the king's alliance with the church and the statute *De Hæretico Comburendo* were the busy sowers of conspiracy and rebellion. It may have been that they scented danger to the possessions of their order; it may have been simply that their wandering habits and their access to families made them available as instruments of agitation. In the natural course of things when ascetic enthusiasm is extinct and mere idleness succeeds, the angelic brotherhood of St. Francis of Assisi degenerated into strolling knavery.

Historians have been puzzled by what appears to them the mixture of good and evil in the character and government of Henry IV. One eminent historian doubted whether he should call Henry the best or the worst of kings. The answer to the riddle partly lies in the lowering of the moral standard in England and throughout Christendom. Unscrupulousness in winning power and in keeping it, even to the extent of political murder, was compatible with the general desire, as well as with the

ability, to use it well. This, in fact, was Machiavellism, with which the time, since the decay of the catholic morality, was big. Of needless cruelty Henry cannot be accused; rather he may be praised for clemency, considering the perfidy and treachery which surrounded him. In his conflict with oligarchical faction he certainly represented order, national unity, and civilization. That his life was one of the most arduous and anxious labour in the public service, that his health was sacrificed to war and business, that on the terrible day of Shrewsbury and on every field of action he was in the forefront of danger, cannot be denied. His policy bequeathed to his son a secure throne and the power of carrying his people with him into a war of ambition disastrous at once to the dynasty and to the nation.

## CHAPTER XIII

### HENRY V

BORN 1388; SUCCEEDED 1413; DIED 1422

THE son was a hero. By his integrity, his magnanimity, his piety, as well as his prowess in war, Henry V. deserves that name. There is a severe beauty in his character as well as in his face. His French enemies, while they found him stern, found him upright, and after the murderous brigandage in the name of war to which they had been accustomed, they were agreeably surprised by his comparative humanity and the discipline of his camp; positively humane he cannot be called, since he passed the word at Agincourt to kill prisoners, and in his later days hanged men to strike terror. It is not unlikely that he had higher aims than those of a mere conqueror, and that, had he lived to rule France, he would have put an end to her distractions, and, as far as was possible for a foreigner, ruled her well. To Normandy, when conquered, he showed a disposition to grant a measure of English freedom. Henry V. is a hero, yet, in the sequel, the meanest king that ever sat upon the throne did not so much mischief to the country, or brought upon it so much shame.

Henry began his reign auspiciously. He frankly accepted the popular principles of his house, at once assenting to the declaration that the explicit consent



of parliament was necessary to all laws, which forms a landmark in political history. Apparently he embraced with mind and heart the vital principle of constitutional monarchy, thorough identification of the king with the people. He also entered at once on a policy of reconciliation, admitting to his grace his father's enemies and trying to wipe out the traces of the feud. In this he had the advantage over his father of an established title, and of never having been known as an equal by those over whom he reigned. He was rewarded by the loyalty of Hotspur's son to the house of Lancaster. But it shows how rife was the spirit of intrigue and mutiny among his nobles, that when he was on the point of leading the national army to France he should have discovered a conspiracy in favour of the Earl of March, the heir of the legitimist title to the throne, in which Scrope, a man in whom he had reposed especial confidence, bore a part. The dangerous side of his character as a civil ruler was his piety, which in those days was incompatible with tolerance. He was not, nor could he ever have been, a cruel persecutor, or the patron of an Inquisition. Apparently he was sincerely desirous of saving the bodies of the heretics as well as their souls, and he personally did his best to convert them. But he was orthodox and devout, which a catholic king could not be without treating heresy as a crime. He founded monasteries late in the monastic day. He allied himself closely with the clergy and renewed the persecuting laws against the Lollards. The result was a Lollard insurrection, headed by Sir John Oldcastle, a man of rank and fortune, who had sincerely embraced what may with truth be called protestantism, since it was, or aimed at being, the pure

religion of the Gospel. The insurrection was weak; in fact, barely came to a head. It was quelled with ease and with the usual consequences of unsuccessful rebellion to the side which had rebelled. Oldcastle was put to death as a heretic and a traitor. 1417

Two years before the execution of Oldcastle, John Huss had been burned at Constance, whither the representatives of distracted Christendom had been convened to put an end to scandalous schism, reform the church in its head and its members, and redeem the chair of St. Peter from the monstrous vices of the pope. 1415

The defeat and depression of Lollardism, however, did not end the danger to the church, whose inordinate possessions, apart from any question of doctrine, excited the jealousy and cupidity of a party in the country and in parliament, while her vexatious jurisdiction, her exaction of fees, and the extortion into which her penitential system had been turned, were always making her enemies, especially among the quick-witted and money-loving population of the cities. The tradition is therefore not improbable that Archbishop Chichele and the clergy encouraged the king in warlike enterprise to divert his mind and that of the nation from spoliation of their order. The speech ascribed by Shakespeare to Chichele is unauthentic; but Chichele founded a chantry under the form of a college at Oxford to pray for the souls of those who had fallen in the French wars; and the king on his death-bed cited the sanction of his spiritual advisers as his justification before God for the blood which he had shed. It appears that the chiefs of the clergy heartily supported him in the war. He was not set on by the representatives of the nation, whose

response to his appeal at first was guarded, though they were afterwards carried away by his victories.

The claim of Henry to the crown of France was more baseless even than that of Edward, since it was not by a legitimate but by a revolutionary title that he held the crown of England. His only real title was the invitation of a party in France, then distracted, as England had been and was again to be, by the rivalry of princes of the blood while the king was imbecile. The conduct of France had been unfriendly; she had fomented and aided Scotch hostility and Welsh rebellion; but unfriendly also was the occupation of Calais by England, to say nothing of her barring, by the retention of a remnant of Aquitaine with Bordeaux and Bayonne, the unification of France. The union of the two crowns upon the same head was impracticable, and if it had been practicable would have been fatal. No legislative securities for the independence of England would have availed to annul the influence which would have been exercised upon her government by linking her with France, and by the immensely enhanced power of the monarch. In Henry's defence it is said that war was then regarded as the noblest work of kings, and that he sincerely believed in the justice of his claim. The justice of his claim, if it satisfied the jurist, could not satisfy the statesman. If he burned for martial enterprise, the chronic enmity of Scotland, whose border knew no peace, would presently have furnished him with a warrant for a war, the object of which would at all events have been more rational. In invading France, he not only left a hostile Scotland in his own island, but gave her France to foment and support her



quarrel. Ireland also, the commercial importance of which, especially as a source of supply for the English colonies and garrisons in Wales, had begun to be seen, was a field which on higher than commercial grounds urgently invited both the arms and the policy of a soldier king.

Henry's mad enterprise would have ended with the taking of Harfleur, after the loss of a great part of the English army in the siege, had it not been for another exhibition of the insensate pride of the French chivalry. Agincourt, like Crécy, was a soldiers' battle. The mistakes of the general had again brought the army into a desperate situation, out of which, helped by the blunder of the enemy, it fought its way. But there was nothing at Crécy so full of interest as the morning of Agincourt, when the little army, thinned and weakened by disease, dejected yet not despondent, formed round its gallant king to encounter the overwhelming host which barred its march. Again the free yeomanry who drew the bow, and the comradeship of the king with the soldier, which Shakespeare has vividly painted, showed the importance of the political element in war power. Again the bow prevailed. The line also prevailed over the column. It was a proof of the continuing decline of the mailed cavalry and of military aristocracy that at Agincourt not only the English but the French man-at-arms dismounted and fought on foot. War is still growing professional and scientific. Gunpowder makes its way. Battering artillery becomes effective and hand guns are introduced. All this is against aristocracy. To Henry, as he not only pressed but built ships, is given the credit of having founded the royal navy; an

institution henceforth continuous, though its mighty importance, military and political, belongs to later times.

It was not wonderful that the king, who had commanded and borne himself nobly at Agincourt, declaring that England should never pay a penny for his ransom, should become the object of a disastrous enthusiasm, or  
1415 that when he landed in England after victory the barons of the Cinque Ports should have carried him through the breakers in their arms.

That maddest of political murders, the assassination  
1419 of the Duke of Burgundy at Montereau, by throwing the Burgundians into the hands of England, laid France at the king's feet, and enabled him in the treaty of Troyes, with the hand of a French princess, to extort the reversion of the French crown. But his campaigns had broken his health, and he lived not like Edward III. to the reckoning day.

## CHAPTER XIV

### THE WARS OF THE ROSES

#### HENRY VI, EDWARD IV, AND EDWARD V

HENRY VI.: BORN 1421; SUCCEEDED 1422; DEPOSED 1461

EDWARD IV.: BORN 1442; SUCCEEDED 1461; DIED 1483

EDWARD V.: BORN 1470; PROCLAIMED KING 1483; SUPPLANTED 1483

THE conquering hero gone, the conquest inevitably slipped away. The Duke of Bedford, a less brilliant Henry, with the redoubtable archers, for a time arrested fate and gained fruitless victories at Crevant and Verneuil. But the tide soon turned and set steadily against English domination. The English, masters of the country only when they could hold it by the sword, had to disperse their force, always small, over a number of garrisons. The French learned from dire experience instead of fighting battles to make it a war of posts. They found in Dunois a second Du Guesclin, a leader who was a genuine soldier, not a Quixote, and led not for glory but for practical success. The spirit of the suffering people of France found its embodiment in Joan of Arc, whose execution left a dark stain upon the English escutcheon, though her trial took place at the instance of the University of Paris, and almost all concerned in it were Frenchmen of the Burgundian party, while the belief in sorcery was the superstition of the age, and Joan owed to it her victories as well as her cruel death. The internal feud which had opened the gate to the

1423,  
1424



invader was healed by the evils and humiliations of his presence. The Duke of Burgundy deserted in course of time the unnatural alliance into which only a personal quarrel had led him. Province after province was reconquered or went back to its natural allegiance. At last nothing was left but the farcical title of king of France, retained for two centuries by the kings of England, and Calais, the possession of which always served to keep up yearnings for conquest, and to misdirect the policy of the island monarchy. The free navigation of the Channel, which Calais imperfectly secured, would have been more perfectly secured by peace. Gascony, the last relic of the continental domains of the house of Anjou, went with the rest, against the desire of its people, who clung to the English connection as the safeguard of their provincial independence. Thus the end of English attacks on the French monarchy was its complete unification as well as its lasting enmity to the assailant. The standing army of France, the destined support of a military despotism, was another fruit of these wars.

But the heaviest price of this magnificent escapade remained to be paid in its effect on national character and domestic politics. Again great fortunes had been swept by lucky adventurers from the gambling-table of the French war. Caister Castle, the mansion of Sir John Fastolf, is one of their monuments. Again the spirit of restless adventure, of violence, of plunder, had been awakened. It was strong in a nobility which, in fact, not being lettered or provided with refined pleasures, had in peace little to occupy its castle leisure but cabal. But society at large, as the Paston letters show, was pervaded by the same angry influence. It was full

of strife, chicane, fraudulent and oppressive litigation, violence sometimes abusing, sometimes breaking through, the forms of law. Ejection at Caister is carried out with an armed force and the disputed mansion stands a regular siege. Abduction, among other disorders, is rife. By the great nobles, with their immense estates and the hosts of retainers whom they protected in license, feudal anarchy was almost renewed. 1469

Of the weakness of the hereditary system there could be no more striking picture than the crowning of the child Henry VI. at London and Paris to reign over the two kingdoms, of one of which half remained to be conquered, with England maddened by the war-fever, a debatable title to the crown, a mutinous nobility, and a parliament though loyal hard to manage. The moral was scarcely more pointed when, after a long minority, followed by a period of political tutelage, Henry became utterly imbecile. It has been conjectured that the earl, who was his tutor, did his work too well, and educated the feeble boy out of his wits. In those days they had little idea of differences of capacity; they thought that the rod, well applied, would bring all up to the same mark. But Henry inherited madness from his grandfather, Charles VI. of France. Amidst the storm of dark and murderous faction we sometimes catch glimpses, like glimpses of the moon amidst cloud-rack, of the character of the king, gentle and pious, taking the side of peace and mercy. Let alone, he would have been a weak St. Louis. The nation evidently loved him, though it could not fear and did not obey him. After his murder he was regarded as a saint. Nor is he without a monument. At Eton and at King's College he still wears his crown. 1429, 1431 1453

While Bedford lived, though his energies were wasted in the war, he was able by his influence to keep the council, into whose hands the government fell, for the most part in the right path. He alone could control the selfish and foolish ambition of his brother Humphrey, Duke of Gloucester, who, without capacity to rule, was trying to make himself master of the government. Gloucester had claimed the regency by right of birth, but the council resisted the claim, forming by its decision a precedent for after times; and he was compelled to content himself with the title of Protector, and with a power limited by the authority of the council. After Bedford's death the ship began to sink. Beaufort, sublimely slandered by Shakespeare, seems to have been a statesman, and though a cardinal, as well as self-seeking and ambitious, to have been a faithful counsellor of the crown, to the interest of which he was by kinship bound. His support made the peace policy, to which his wisdom inclined and which alone could save the government, respectable in the eyes of the people. He, too, passed off the scene. The king was now of age to reign, but incapable of governing. The government was in the hands of the queen, Margaret of Anjou, and De la Pole, Duke of Suffolk. Margaret, the bride of surrender, dowered only with the loss of Maine, came foredoomed at once to partisanship and to popular hatred. She was very young and inexperienced. Whatever notions of government she had were not English. Her temper was violent. She was disposed to favouritism, and her letters indicate that she was given to jobbery and to interference with the course of justice. De la Pole, her chief minister, not being of blue blood, though his family had a



noble record of public service, was regarded with jealousy by the grandees, while his policy of peace and his surrender of Maine drew on him the hatred of the nation, whose pride was not, like its force, exhausted by the struggle. He was apparently odious as a favourite. It does not seem that there was much more to be laid to his charge. Gloucester led the party, large in the nation, especially among the seamen, which was still ignorantly and madly bent on war; and his popularity made him formidable to the court. His sudden and most opportune death under arrest in the hands of Margaret and Suffolk, though it parried the immediate danger, did not save their government. Suffolk fell before the storm of political hatred. In attempting to fly the kingdom he was murdered, and the circumstances of his murder, which was open and unavenged, and in which the crew of a royal ship took part, showed that it was not a mere assassination, but the symptom of a general disaffection. The murder of Bishop Moleyn by mutinous sailors, who accused him of having sold Normandy to the French, was another bloody sign of the times. Suffolk's place at Margaret's side was taken by the Duke of Somerset, representing the aspirations of the Beauforts, the bastard children of John of Gaunt by Catherine Swinford, legitimized by Richard II., but in the act of confirmation by Henry IV. excluded from the succession to the crown. By this time the government was foundering. The finances were in a desperate condition. The judges had been for some time without salaries, and must have paid themselves by corruption. The court itself was compelled to subsist by predatory exaction under the name of purveyance. The king's feeble intellect totally gave

1447

1450

1450

1397

1407

way, and the crash, the penalty of his father's insane policy of conquest, came.

1450 The commons rose in Kent under a local leader, Jack Cade. This rebellion was not, like the revolt of the serfs, economical and social, but political. The lesser gentry and yeomen at first joined it. Its manifesto demanded redress of the abuses of government, the list of which the framers, had they spoken the exact truth, would have summed up in weakness. The government was for a time overthrown, and once more murder, rapine, and havoc reigned. But the forces of order in the community rallied, the insurrection was crushed, and  
1450 its leader paid the forfeit of his head.

As the cloud of rebellion clears away, Richard, Duke of York, the legitimist claimant, in virtue of his descent by a female line from Lionel, Duke of Clarence, the elder brother of the Duke of Lancaster, steps upon the scene and challenges the ascendancy of Somerset. He had assumed the significant name of Plantagenet, and the rising of Jack Cade seems to have been in his interest, if not countenanced by him. Presently he takes up  
1455 arms, and in the battle of St. Albans, where Somerset falls, opens thirty years of intermittent civil war. It is most likely that the cautious and moderate ambition of York would have been satisfied with a compromise, giving Henry the crown for life and the succession to York and his heirs. In this case, as in the case of James II.,  
1453 the turning-point was the birth of an heir which shut out York, as it shut out William's wife from the prospect of succession, while the lateness of the birth in both cases alike, and in the present case the state of the king's health, gave occasion for party cries of fraud. Mar-

garet, too, had now a son for whose claim to fight, and she fought like a she-wolf over her cub. If after the first clash of arms there was any hope of peace, it was extinguished by her sweeping attainder of her enemies in the parliament at Coventry. Hatred, deep enough before, was deepened by the cruelty of her partisans after the battle of Wakefield. Fortune sent her no able counsellor or commander. The death of York, which seemed her gain, was her loss, since into his place stepped his son Edward, with a brilliant and precocious genius for war. She fatally injured her cause by stretching out her hand in her desperate need to the foreign enemies of the kingdom, by bartering away Berwick, by bringing down on southern England a horde of northern marauders. After the second battle of St. Albans she, or those about her, lacked nerve to move on London, and their victorious army was led aimlessly back to the north to be crushed by the military genius of Edward at Towton. That black Palm Sunday of fratricidal slaughter decided the issue of the civil war. The country received, London perhaps welcomed, the conqueror as king. London saw the tiger's beauty, felt his winning manner, and it seems had staked money on his success.

Young Edward's love-match with a Lancastrian widow caused the scale once more to turn, disconcerted the policy of the head of his party, the all-powerful Warwick, and, by bringing the queen's relatives to the front, threw that prince of schemers into the background. Warwick unmade the king whom he had made, and for one more hour Henry, broken and imbecile, became the sport of destiny and wore the mockery of a crown. But Edward soon recovered the throne. He recovered it, not



through any national movement in his favour, but by his  
1471 own vigorous action, and by the victory which at Barnet  
his generalship gained over Warwick, a politician pro-  
found in the cabinet but weak in war. From Barnet he  
1471 rushed upon Margaret's last army at Tewkesbury, smote  
it to pieces, and laid, as he might think, for ever by the  
butchery of the helpless young prince his namesake, the  
spectre of the Lancastrian claim. Henry was murdered  
1471 in the Tower. To his tomb at Chertsey pilgrims  
thronged and miracles were believed to be wrought there.  
It is not unlikely that his saintly character, contrasted  
with the blood-thirsty ferocity of the princes of the house  
of York, kept its hold on the hearts of the people and  
helped in the ultimate triumph of his house.

The period of the Wars of the Roses is almost a blank  
in political history. No principle was involved in the  
struggle. It is true that the title of Lancaster was  
parliamentary, while that of York was legitimist, and  
that the parliamentary dynasty would be naturally consti-  
tutional, while the legitimist would be naturally despotic.  
But there was nothing to show that this was the issue or  
in fact that either character had been retained. The  
charge of absolutism was brought by the Yorkists against  
the queen and her camarilla. The line of Lancaster had  
been legitimized in the eyes of the people by two reigns  
and Agincourt. Even after York's victory at Northamp-  
ton he found the parliament rooted in its allegiance to  
the heir of Henry V. and had to content himself with a  
compromise, leaving Henry the crown for life. Men took  
the field at the bidding of their own lords, and the map of  
party coincided with that of local influence and connec-  
tion. In the north the house of Lancaster had always

been strong, border warfare had retarded civilization, and the spirit of feudalism lingered. London appears to have been Yorkist, but it quietly accepted both kings. If the Cinque Ports were Yorkist, it was probably from hatred of France and of a peace policy. At Towton the banners of the chief cities appeared on the Yorkist side. But this was when queen Margaret had leagued herself with the Scotch and brought down a plundering northern army upon southern England. The war can hardly even be called dynastic. Loyalty was not the motive or the watchword. It was a war of aristocratic factions which presently became a set of blood feuds, Clifford slaying Rutland because Rutland's father had slain the father of Clifford, while the blood of Rutland is avenged by murders on the other side. In the north it was a conflict between the great houses of Percy and Neville, which had before its outbreak been in arms against each other; in the west it was a conflict between the houses of Bonville and Devon. When Devon who has been Yorkist turns Lancastrian, Bonville who has been Lancastrian turns Yorkist. The group of magnates which had risen out of the grave of the feudal nobility killed by the great Plantagenets, was here divided against itself in a struggle of its houses for supreme power, and it ended in self-destruction. Livery and badges as means of factious organization play no small part in the frivolous politics of the time. The chief of the group was Warwick, whose estates, spread over the kingdom, exceeded the domain of the crown; whose badge, the bear and ragged staff, was borne by a host of retainers; who, when he came to London, kept such a house that six oxen were eaten at a breakfast, while all comers were bribed

with largesses of food. Warwick was the head of a strong family connection. The last of the barons he has been called; but he has been more truly described as a colossal land-owner and an arch-politician with a private army and a private park of artillery. The aristocratic factions, or connections as they were styled, of the Hanoverian era fought for power and pelf with political weapons, and the vanquished lost their places. The aristocratic factions of the fifteenth century fought for power with their swords, and the vanquished lost their heads. The factions grouped themselves under the rival Houses and Roses; but all were playing their own game, all were fighting for spoils, and, as the fray went on, for vengeance, which glutted itself not only in the butchery of prisoners, but in insults to the dead. This is a moral interregnum; it is an age of unscrupulous ambition, conspiracy, and treachery, the age of the Borgias and Machiavel. In some of the actors of the Wars of the Roses is seen the union of crime with culture which marks the Italian Renaissance. Tiptoft, Earl of Worcester, surnamed the Butcher, who impales the corpses of his victims, has studied at Italian universities, is a literary man, and a patron of letters. Edward IV. is also a patron of letters, while he is almost as cruel as an Italian tyrant. In lowly places Lollardism still kept a conscience and from time to time produced a martyr.

The people at large seem not to have cared for either side. The seamen, who displayed some partisanship, probably thought themselves betrayed to France by Henry's government. The retainers mechanically followed their lords to the field, but the people stood at gaze like a herd of deer while the stags are



fighting for the mastery. What the sensible part, and, above all, the commercial part of the nation wanted, was a strong government. General feeling at the outset probably was on Henry's side. But the Lancastrians had no leader; the Yorkists had a leader of at least tolerable capacity in York and had a first-rate general in his son. The outrages committed by Margaret's savage northern army are likely to have determined the cities which at Towton fought on the Yorkist side.

The life of the period, rough as it was, seems not to have been much disturbed by war. Even the judges of assize appear to have gone their circuits, though they probably had special need of the sheriff's guard. Colleges were being founded. Magdalen College, Oxford, rose in its beauty amid the storm. A town, such as St. Albans, in or close to which a battle took place, felt the fury of the victor, and towns were sacked by Margaret's northern hordes; but there was no general sacking or havoc. Each faction slew men of rank, of whom many were taken prisoners fighting on foot and impeded by their heavy armour. The common people seem to have been spared. The armies were not kept on foot and quartered on the country, like the brigand hosts of Tilly and Wallenstein; they were called out for the battle and sent home when it was over. Nor do they seem to have been large. Medieval numbers are always untrustworthy, and sometimes monstrous exaggerations. At Towton, the greatest as well as the fiercest and bloodiest of these battles, one authority finds that the probable position of the Lancastrians would hold about five thousand men. There were many breaks in the thirty years during which the Wars of the Roses lasted.

The natural result of a military revolution was the prostration of law and liberty before the victor. A despot Edward IV. was not. He put to death with certain judicial forms any one who even by light words aroused his suspicions. He put to death on suspicion his own brother Clarence; though the story of drowning in a butt of malmsey is at least so far true that Edward did not venture on a public execution. He broke the law against arbitrary taxation by extorting what were ironically called benevolences. But he did not dare to change the law or to raise a general tax without consent of parliament. He gratified his lust by seduction, not by force. A despot he might have made himself had not the energy which by decisive strokes of war had won so many fields sunk when war was over into the torpor of the debauchee. Royalty now dons full state. Ceremonious etiquette is fully born. A Nuremberger, in the suite of a Bohemian nobleman, was allowed the privilege of seeing the queen dine. She sat on a golden stool alone at her table, her mother and the king's sisters standing far below her. When she spoke to either of them they knelt down and remained kneeling till she drank water. All her ladies, and even her lords in waiting, had to kneel during the whole of her dinner, which lasted three hours. After dinner there was dancing, but the queen remained seated with her mother kneeling before her. This out-does the court of Louis XIV.

The boy Edward V. was proclaimed only to die and make way for the daring usurper, whose brief reign forms the last and not the least tragic scene of the long and bloody drama of the Wars of the Roses.

## RICHARD III

BORN 1450; SUCCEEDED 1483; DIED 1485

The historical school which prefers the scientific to the moral treatment of character has a good subject in Richard III. Rehabilitation of him is not only a paradox but a platitude! Charges may have been heaped upon his memory by his victorious foes. His deformity was exaggerated; so may have been his crimes. Born in a depraved era, he had been bred amid treachery and murder. His boyish eyes had feasted on civil bloodshed. At Tewkesbury, where he commanded a division at nineteen, if he did not stab Prince Edward, he must have borne a part in the butchery of a number of prisoners, taken, as Lancastrians averred, after promise of pardon, in a church. He was in the Tower, and we may be sure in command, when Henry VI. was murdered. It is a moot point whether his brother Clarence, standing in his path, was helped by his intrigue to a better world. No one doubts that he slaughtered Hastings, Rivers, Grey, and Vaughan. He wanted them out of his way and removed them without remorse. We may acquit him of murdering his wife; but it seems he wished her dead, and desired as a stroke of policy to marry his niece in her room. Evidently he was a man of intellect. His features, if his portrait can be trusted, were refined and pensive. He was at the same time full of energy, and flattery could tell him that never had nature enclosed so great a spirit in so small a frame. Nor is it at all unlikely that, after winning his power by crimes, and cementing it by an unnatural murder, he would have used it well. The tendency of his legislation appears



to have been liberal. He condemned benevolences, though he was fain to resort to them. By a statute freely admitting books he marked the age and did credit to himself. The weakness of his title would have compelled him to make friends of the people. He had tried to tune public opinion through the pulpit, the feeble precursor of the press. His usurpation, though effected by villainy and masked by pretexts transparently false, including one which traduced the character of his own mother, does not seem to have greatly shocked opinion. The nation, with its moral sensibilities blunted as they must have been by the long carnival of crime and blood, might well prefer the rule of a very able though unprincipled man to another minority with an irresponsible camarilla. Richard appears to have been well received on progress through the country, especially at York and in the north. Bishop Wayneflete, the pious founder of Magdalen College, came to entertain him there, and had exercises performed before him in the College Hall. Another bishop, with substantial reasons it is true, hails him as the paragon of kings. Without the murder of the princes it would not be easy to understand the storm which overturned his throne. We might suppose that it was merely the last blast of the elements which had been raging so long. An hereditary claim no stronger than that of his rival would hardly have fired a heart or strung a bow. But Grafton may well be right in saying that the murder of Richard's nephews, generally known or suspected, turned national feeling against the murderer. The commons were probably not so lost to humanity as the aristocratic factions. To witnessing the slaughter of any number of political

enemies they were accustomed. This they would have taken as a matter of course. But the murder of two royal boys by the uncle who had them in his trust was an outrage on human nature which appealed to every heart. Some have thought that Richard was a man more of impulse than of foresight. His foresight certainly failed him when he rushed into this crime. His guilt can hardly be doubted. In whose keeping were the boys when they disappeared? Who had an interest in their removal? What became of them? Why, when the storm of public indignation arose and might have been allayed by producing them, were they not produced? Whose were the two skeletons, corresponding to the ages of the boys, which in the reign of Charles II. were found in a place indicated by the confession of the reputed murderers? The story of Perkin Warbeck admits the murder of the elder brother, pretending only that the younger escaped. 1674

In the insurrection of Buckingham, which had apparently no cause but the magnate's pique, and in the crafty wavering of Stanley on the field of Bosworth, is displayed once more the spirit of aristocratic faction, while the furies of the dynastic and family war were seen to concentrate themselves in the demoniacal fierceness with which Richard was seeking his adversary's life when he lost his own. 1483 1485

Through all this parliament had lived. It had been packed, of course, by the victors of the hour, sometimes shamelessly, and used as the instrument of party policy, of party murders and confiscations in the guise of Acts of Attainder, of party settlements and resettlements of the crown. Still it had lived and held its place in the constitution. Neither party had dared to legislate

or attain without it. It had even shown a spark of independence when York after his first successes laid his hand upon the throne. Free election to it had been a popular demand put forward in the manifesto of the  
1430 insurgents under Cade. By an Act of Henry VI. the qualification for the electors of the knights of the shire had been regulated and fixed at the forty-shilling freehold, at which it was kept by English conservatism down to the reform of 1832. All the powers which parliament now possesses, and in some respects more than it legally and theoretically now possesses, it had acquired, chiefly by taking advantage of the king's financial necessities; legislation, taxation, appropriation of supplies, auditing of accounts, inquiry into expenditure, impeachment of ministers, together with the necessary privilege of freedom of members from arrest. It had besides been formally taken into counsel by the crown on questions of war and peace, which at present are beyond its formal competence, and it had interfered directly with the composition of the royal council, over which it has at present only an indirect control. It had disposed of the regency. It had settled the succession to the crown. The Commons had established, as against the Lords, their right to the sole origination of money grants, with the power attendant on that right. England was a commonwealth, and a commonwealth in form and principle it remained, though, through the temporary failure of the forces by which parliament had been created and sustained, a period of practical autocracy was at hand. Fortescue, Chief Justice of the King's Bench under Henry VI., and governor of the Prince of Wales, could say, "A king of England cannot at his



pleasure make any alterations in the laws of the land, for the nature of his government is not only regal but political. Had it been merely regal, he would have a power to make what innovations and alterations he pleased in the laws of the kingdom, impose tallages and other hardships upon the people whether they would or no, without their consent, which sort of government the civil laws point out when they declare *quod principi placuit, legis habet vigorem*. But it is much otherwise with a king whose government is political, because he can neither make any alteration nor change in the laws of the realm without the consent of the subjects, nor burden them against their wills with strange impositions; so that a people governed by such laws as are made by their own consent and approbation enjoy their properties securely and without the hazard of being deprived of them either by the king or any other. The same things may be effected under an absolute prince, provided he do not degenerate into the tyrant. Of such a prince Aristotle, in the third of his Politics, says, 'It is better for a city to be governed by a good man than by bad laws.' But because it does not always happen that the person presiding over a people is so qualified, St. Thomas, in the book which he writ to the king of Cyprus, *De Regimine Principum*, wishes that a kingdom could be so instituted as that the king might not be at liberty to tyrannize over his people, which only comes to pass in the present case; that is, when the sovereign power is restrained by political laws. Rejoice, therefore, my good Prince, that such is the law of the kingdom which you are to inherit, because it will afford, both to yourself and subjects, the greatest security and satisfaction."

That the House of Commons, however, was far from democratic, is shown by the enactment of reiterated statutes of Labourers, to keep down wages, and Vagrant Acts, to bind the labourer to the manor. The forty-shilling freehold was a qualification which, allowing for the difference in the value of money, would be high at the present day. Of the borough elections most would be in the hands of municipal oligarchies. Besides, there were the irregular influences of the crown through its sheriffs and of local magnates. Annual parliaments, which had been ordained under Edward II., and payment of members, were different things in those days from what they would be now. So was membership of the House of Commons. We hear of members elected but refusing to serve, absconding, and pursued with hue and cry. It was necessary to pay representatives for their services in those days, whereas in the present day they are glad to pay dearly for being allowed to serve. There were sometimes considerable intervals between sessions, with no political press to fill the gap. Nor were the members trained parliamentary hands, though they would be trained in some measure for public life by local legislation and the administration of local justice. Government was still in the crown, and in the crown there was need that it should be when the representatives of the nation were so uninformed and so little capable of taking the helm. Political landmarks were not fixed, nor were principles defined as they are at the present day. Much was still in a state of flux and varied with the shifting forces of the hour.

## CHAPTER XV

### HENRY VII

BORN 1456; SUCCEEDED 1485; DIED 1509

WE have now fairly come to the end of the catholic middle age. Its starlight yields to the flush of dawn. Classical literature and art, revived in Italy, have been substituting the Greek and Roman for the ecclesiastical ideal. Asceticism, treating the body as the prison of the soul, and seeking by mortification to subdue it, is being supplanted by the sense of beauty, apt to slide into sensuality. The architecture of the Gothic cathedral is giving place to that of the Parthenon and the Pantheon. Painting, even when ostensibly religious, is becoming really human. From sculptured forms of macerated saints adoration is turning to the beauty of heathen gods. If in England medieval art still lingers, it will not linger long. Colleges are founded, but monasteries no longer. In place of the School philosophy the humanities reign. Aquinas, Duns Scotus, and the Master of the Sentences give up their thrones to Plato and Cicero. Instead of the monkish Latin of the middle ages, classical Latin is the language of the learned. Education becomes classical. At the same time the vernacular languages are cultivated and national literatures grow. Above all, printing is born. Caxton has introduced it into England. 1476

Between the morality of catholicism and the protestant



morality which is to succeed it, there is, especially in courts and among the governing classes, an interregnum, which gives birth to the papacy of Alexander VI., and the statecraft of Machiavelli. Our generation may look upon such a period with interest, since it is itself threatened with an interregnum between Christian morality and the morality of science.

Feudalism, in the most advanced countries, has breathed its last. In England it has fallen upon its own sword. True chivalry, the chivalry of the crusades, has long been dead. In its later travesty, the chivalry of the fantastic orders, little life is left. The castle, its walls not being proof against the cannon, is replaced by the battlemented and moated mansion, which again will soon be replaced by the mansion unbattlemented and with the pleasure-ground in place of the moat. The military revolution holds its course. Artillery sweeps the field of battle. Firearms prevail over the bows of Crécy and Agincourt. War has thoroughly become a trade and a science, with captains of mercenaries, such as the Italian condottieri, for its masters.

Throughout Europe there is the stir of a new life. Commerce is growing more active, navigation is spreading its sails, discovery is opening new realms. Portuguese mariners have made the passage round the Cape to India; Columbus is about to set sail. In Italy commerce and industry have long gained the upper hand of the nobility. In England they are gaining a place beside it. Under Henry VI. De la Pole, the origin of whose family was commercial, stood at the head of the state and almost within reach of the crown. Cannynges, a merchant of Bristol, entertained Edward IV. in a palace.

Feudal aristocracy having wrecked itself and the church being drugged, there is scarcely any political force in the field but monarchy, which in France and Spain becomes permanently and completely, in England less completely and for the time, absolute. This is the age of kingcraft, of which the three masters are Louis XI. of France, Ferdinand of Spain, and Henry VII. of England. Cæsar Borgia, in Italy, was its fiendish incarnation. He was the model of Machiavelli. Henry VII. was the model of Bacon, in whom there is a Machiavellian strain.

Sir Thomas More's narrative of the reigns of Edward V. and Richard III. is a political history. The day of the monkish chronicler is past, that of the historian is at hand. In More's "Utopia" comes political speculation.

1516

On the field of Bosworth, Henry Tudor put on the circlet taken from the head of the slain Richard. This was his real coronation. His title was victory, though in deference to the principle of inheritance by this time deeply rooted, he entwined with it that of succession from a legitimated bastard of Lancaster, and that of marriage with the heiress of York; the marriage after a delay which betrayed his hatred of the house of York and his fear of seeming to owe the crown to his wife. General weariness of the civil strife and general prostration made his victory decisive. The axe of aristocratic faction had deprived the middle classes of political leaders; they turned from politics to the acquisition, in agriculture or trade, of the wealth which was to make them politically powerful at a later day.

1485

A statute declaring the allegiance of the subject due to the sovereign in possession, whatever might be his

1495

title, reassured, so far as an Act of Parliament could reassure, all who might fear that in adhering to a Lancastrian king they were laying up for themselves wrath against the return of the house of York. The spectre of indefeasible right was thus laid, and obedience was based upon reasonable grounds.

Henry had, however, still to buffet the billows of a sea which, having been swept by storms for thirty years, could not at once become calm. The Duchess of Burgundy, a daughter of York, sister of Edward IV. and Richard III., earned the title of Henry's Juno by the pertinacity of her intrigues against him. Twice she raised up pretenders against the hated Lancastrian.

1487 Lambert Simnel, who personated the Earl of Warwick, Clarence's son, brought on the stage a new force in the shape of the German hackbuteers, Almains, as they were called, under a soldier of fortune, Martin Schwarz. That Lambert Simnel was an impostor is undoubted. Few now believe the story of Perkin Warbeck, who gave himself out as Richard, Duke of York, younger son of Edward IV. But he played his part with skill, and he is notable as a low-born adventurer who, in that age of social caste, could bear himself with dignity in courts and win the heart of a high-born wife. Ford has painted him

1487 well. From the field of Stoke, where, under the rebel banner of Simnel, Lincoln, the heir designate of Richard III. fell, Lovel, the other Yorkist leader, disappeared and was heard of no more. But in the eighteenth century,

1708 in a vault beneath Minster Lovel, the mansion of the family, was found the body of a man in rich clothing seated in a chair with a table and mass-book before him, which was yet entire when the vault was opened,



but, being exposed to the air, crumbled to dust. It was conjectured that this was the body of Lovel, who had fled thither, trusted himself to a dependent, and been immured through neglect or accident. Such was the last relic of the Wars of the Roses. Intrigue and conspiracy, however, were long in dying. Sir William Stanley, who had betrayed Richard to Henry at Bosworth, betrayed Henry in turn, and met a traitor's doom.

Nor was it with aristocratic conspiracy and mutiny alone, but with general turbulence, that Henry had to cope. The rough and warlike north rebelled against taxation. It was speedily put down. Not so speedy was the suppression of a rising among the fierce miners of Cornwall, who, being stung to wrath by the taxgatherers, and having found a noble to head them in the person of Lord Audley, marched to Blackheath, and fought, almost under the walls of the capital, a pitched battle, in which the royal park of artillery gave the victory to the crown. The country, when Henry came to the throne, was still generally unsettled. Vagabondage, highway robbery, and abduction of women were still rife. The guardian of order and civilization had excuse for strong measures and for something like martial law.

To quench the last fires of civil war, to quell the remains of feudal anarchy, to bring forward the middle class and attach it to the throne by fostering industry and trade, to organize the nation thoroughly under a monarchy practically absolute was the aim of Henry VII. He was the man for his part, a politician of the new era, without a trace of the knight or crusader, the very opposite of the founder of the Garter. In the sombre and pertinacious industry with which his policy was

wrought out, he was a counterpart of Louis XI. His new palace at Richmond was not like Plessis les Tours, where Louis lived immured in an impregnable prison, with crossbowmen on the walls to shoot at any one who approached; but the inhabitant of Richmond, like the inhabitant of Plessis les Tours, sat working assiduously at the centre of a wide web of diplomacy and secret service. Both of them, as well as Ferdinand of Aragon, brought to perfection the espionage of which all three had need. Henry was not, like Louis, treacherous or cruel. He was only cold-blooded and unscrupulous. He was ready to do what policy required; to marry his son's widow that he might not have to give back her dower, to marry a lunatic that he might be master of Castile. If he kidnapped the Earl of Suffolk it was because Suffolk had a Yorkist claim. If he judicially murdered the Earl of Warwick, it was because Warwick also had a Yorkist claim, and Ferdinand of Aragon objected to giving his daughter to Henry's heir while there was this cloud upon the title. He treated Lambert Simnel with politic magnanimity, making him a scullion in the royal kitchen, where the pretender, as is said, would lie before the fire like a dog among his dirty fellows. He would have spared Perkin Warbeck if Warbeck would have remained quiet in prison. For a king of those times he was merciful to the Cornish rebels and to defeated rebels in general.

1504 To prevent feudal mutiny from lifting its head again, statutes were made against liveries, that is, the practice of enlisting hosts of retainers with the badge of their chief, such as Warwick's bear and ragged staff; and against maintenance, or illicit combination for mutual

support in lawsuits and quarrels, by which a powerful patron secured a following. These statutes were strictly enforced, the more so as fines brought money to the king's coffers. According to a story told by Bacon, the king was leaving the house of the Earl of Oxford, whose hospitality he had been tasting, when his eyes fell on long rows of men in his host's livery drawn up to do him honour at his departure. "These handsome gentlemen and yeomen, my lord, whom I see on both sides of me are, no doubt, your own servants?" His host explained that they were not, but most of them his retainers come to do him service on the occasion, and chiefly to see the king. "By my faith, my lord," said the king, "I thank you for my good cheer, but I may not endure to see my laws broken in my sight. My attorney must speak with you." The royal guest, according to the story, kept his word and the host had to pay a heavy fine. The pecuniary penalties of rebellion were exacted with the utmost rigour. The less blood the king drew, says Bacon, the more he took of treasure. Money, which might make him independent of parliament, was his darling object, at last his mania.

The Star Chamber, as it soon came to be called, has an evil name, and presently became an instrument of tyranny. But as instituted or reorganized by Henry VII. it may well have been a necessary instrument of order. It was a court formed out of the council; ultimately it was the council itself sitting in the chamber which gave it the name. It exercised a censorial guardianship of justice, the course of which at that time was obstructed and overawed by local violence or influence too strong for the courts, juries, and magistrates of the district. Its effect,



as Sir Thomas Smith, writing in the next generation, said, was "To bridle such stout noblemen or gentlemen as would offer wrong by force to any manner of men, and would not be content to demand or defend the right by order of the law." In the north especially, according to the same writer, "It was marvellous necessary to repress the insolency of noblemen or gentlemen, who, being far from the king and the seat of justice, made almost, as it were, an ordinary war among themselves, and made force their law, binding themselves with their tenants and servants to do or avenge an injury among themselves as they listed." Like martial law, the jurisdiction of the Star Chamber might be warranted by the crisis. But it was continued and extended as an engine of arbitrary and reactionary government when the crisis was long past. Juries were untrustworthy, they were packed, coerced, or bribed; and in facilitating appeals from their verdict in criminal cases, or even superseding them by the royal judges, which was the tendency of Henry's policy, a king might think that he was promoting the interests of justice. A law on this subject, however, which struck at the life of jury trial, was allowed to lapse.

Unmixed good was assuredly done by the restriction of  
1489 the impunity given by that clerical exemption from the  
criminal law, of which Becket was the martyr, to clerical  
crime, though the abuse was pared only, not abolished.  
Not less laudable was the restriction of the privilege of  
1487 asylum, now wholly mischievous, whatever it might have  
been in the days of primeval violence and revenge. Such  
measures were a proof at once of a bracing of the sinew  
of public justice and of a disposition to curb ecclesiastical  
power. The king, however, was orthodox and generally

devout. He bore himself like a dutiful son towards the Father of Christendom, though the Father of Christendom at the time was Alexander VI. ; he maintained the heresy laws ; he sought canonization, though in vain, for Henry VI. ; he contributed, though with reluctance and sparingly, to a crusade. The thaumaturgic power of the church and her head, as keepers of the keys and dispensers of the mystical sacraments, was sufficiently established to survive their claim to moral respect and sustain at least formal and ceremonial religion. Dispensations and indulgences are still marketable. The price of relics has not fallen. Pilgrimages are undertaken. Becket's shrine is thronged with votaries. With the talk of voyages of discovery is mingled the talk of crusades. Fine parish churches are still being built, though they are perhaps monuments of the growing wealth and the taste rather than of the faith and piety of the towns. A church was the great civic as well as religious edifice of those days. For church architecture the parsimonious king could open his coffers, as his beautiful chapel at Westminster bears witness, though here with his religious feeling would be allied the love of art, which, it has been remarked, was shown by him first of all the kings since Henry III. He invited foreign artists to England.

Bacon has said of his model of kingcraft that Henry's laws "were deep and not vulgar ; not made upon the spur of a particular occasion for the present, but out of providence for the future, to make the estate of his people still more and more happy, after the manner of the legislators in ancient and heroic times." Hallam will not allow Henry this credit in the case of the statute of Fines, which is supposed to have given the power of 1487

breaking the entails of land guarded by the enactment *De Donis Conditionalibus* of Edward I. The power of breaking the entails of land had already been given under Edward IV., by a judgment which enabled a tenant in tail, by means of a fictitious process called a common recovery, to divest his successors and become owner of the fee simple. An estate tail was not forfeitable for treason; and the object of Edward's judges was probably to remove that bar. Henry's Statute of Fines proves to be only a transcript of a statute of Richard III. Hallam holds that the real object was to quiet titles rendered doubtful by troublous times. Yet any measure which helped to break up the entailed estates of the great nobles, whatever its immediate object, would fall in with the policy of Henry VII., which was depression of the old nobility. It would also increase the number of small landowners and promote the growth of a yeomanry.

Henry could be a soldier. He commanded at Bosworth and at Stoke. But his policy was diplomatic and pacific. The foreign question of the day was that regarding the duchy of Brittany, threatened with annexation and eventually annexed by Charles VIII. of France. The spirit of the English people was stirred. They would fain have saved an old ally, kept their foothold in France, where they still dreamed of renewing the march of conquest, and prevented the consolidation of that kingdom. Henry used the outburst of national feeling to raise money for war; but while he retained the empty title of king of France, he had no mind to repeat the adventures of Edward III. and Henry V. His own diplomacy was constantly directed to the preservation of peace. He made a show of war, but allowed himself to



be bought off by France. Thus, getting subsidies from his subjects for war and indemnity from France for his neutrality, he turned the situation both ways into cash. The policy was not heroic, but it was better than a renewal of the feud with France and another diversion of the national force to the wild pursuit of barren and short-lived glories on an alien field. To prevent the consolidation of France was hopeless. The counterpoise and antidote was the consolidation of the island realm. With Scotland, in spite of the reception of Perkin Warbeck by the Scottish king and Scottish raids on England, Henry strove to make a lasting peace. The way was opened by the sword; but diplomacy at last prevailed and the peace was sealed by the marriage of Henry's daughter Margaret with the king of Scots, which paved the way for the union of the crowns, and at last for the union of the nations. 1502

Diplomatic marriage was an art of statecraft not overlooked by Henry, and in the case of the Scotch marriage practised by him with good effect, though usually it is weak, since when affection is sacrificed to policy, policy will hardly be controlled by affection. Besides marrying his daughter to the king of Scotland, Henry married his son Arthur at fifteen to Catherine, a princess of Aragon, and when Arthur died he contracted her to his next son, Henry, then a boy of eleven; rather than pay back her dowry, it appears, he would have married her himself. 1501 1501

The Tudor monarchy rested on the middle classes, which, in spite of the Wars of the Roses, had been all the time gaining ground, and, being commercial and industrial, welcomed after the civil war a strong government, thinking less, for the time, of political liberty than of

liberty to ply the loom, speed the plough, grow the wool, and spread the sail. A nation enriching itself in peace and submissive to the fatherly rule of a wise king was the ideal of the first Tudor. Rulers who pass for heroes have had a worse.

The cities and towns had by this time fully bought or found their way out of feudal thralldom; they had won the privilege of self-assessment to taxation, freedom from feudal burdens, freedom from the tyranny of sheriffs, the right of electing their own magistrates, government by their own laws, judiciaries of their own, and the status of little commonwealths each within its own walls. Each wrought out for itself its own political salvation, and was invested with political franchises, not, as in these days, by a municipal reform Act but by a separate charter of its own. Enfranchisement, it has been observed, was won most easily from the crown, in whose domain the largest number and the most important of the cities were, and which welcomed them as allies in its struggle with the feudal nobility; with greater difficulty from the local lords, in whose eyes it was rather a question of power and money than of policy; with the greatest difficulty from the ecclesiastical lords, who deemed their properties and powers a sacred trust, and when asked to part with them answered, like the pope at the present day when asked to give up his temporal dominions, with a pious *non possumus*. The vexatious and sordid litigation in which bishops and abbots were engaged with citizens naturally of inquiring spirit contributed, in fact, not a little to the doom now hanging over the church. Each town formed its own municipal constitution through a series of experiments, with struggles between

trade guilds and outsiders, between monopolists and interlopers, between masters and workmen, between civic oligarchies and democracies, resembling on a small scale those which had made up the troublous and changeful history of Florence. It was not in those days as it is in these, when the leading traders live in villas out of the city, or take no part in its government, which in America is left to ward politicians. The Poles, Canynghes, and Whittingtons of the Plantagenet or Tudor era lived in the city, sought its offices, guided its counsels, led in its elections. A city now has little of unity; it is a densely peopled district requiring a scientific administration. In those days it was a commonwealth with a life and a patriotism of its own. Every citizen was bound to the common service, in arms when the tocsin called, in the duties of police, in public works, and in the performance of official functions. Eustace De St. Pierre, the heroic burgher of Calais, was more a patriot of his city than of France, and when Calais had become English was content to live under the conqueror. In England, however, parliament kept the nation above the city in the heart of the citizen. It is noted as a proof of the comparative facility with which in this free country the cities won their franchises, that they never found it expedient, like the cities in other countries, to form a confederation. The only union was that of the Cinque Ports, which formed a little maritime commonwealth specially charged with naval defence, something like the counties palatine, charged with defence against the Scotch and Welsh. The town population had been swelled by the inflow of serfs, on whom, by established custom, a year's residence within the town's franchise conferred freedom. During the Wars



of the Roses the cities had perhaps received more drift of this kind than they had desired. These additions helped to form the commonalty with which a burgher aristocracy contended for power. In most of the towns the aristocracy had probably by this time gained the upper hand. Apart from the mere influence of wealth, commerce was the bread of these communities, and their affairs might be best administered by the commercial chiefs, provided those chiefs were honest men and could avoid the tendency of oligarchies to corruption. There would thus be a loss of public spirit and of local patriotism among the citizens generally, and this would affect, through the municipality, the political character of the nation. On the other hand, there would be no municipal demagogism to disturb the interests of industry and trade.

English manufactures and commerce were making way and producing their effect on national character. England was exporting cloth to the continental markets, especially to those of northern Europe, chief among which was the great fair of Novgorod. There were works of iron, lead, tin, copper. There were budding manufactures of the finer kind, glass, carpets, lace. The merchant navy was growing, and, instead of being beholden to the Hanse, English goods were carried in English bottoms. The sea in those days was still an element outside law. Piracy was common and half licensed. Mariners of different nations warred with each other while their governments were at peace. To trade in safety it was necessary to organize an association strong enough to form a sea power. Such an association were the Merchant Adventurers of England, who, not without displays of combative and irregular energy,

supplanted the old monopoly of the Staple and broke the supremacy of the Hanse, which with its fortified quarter in London had long dominated English trade. The foreign trader, through the middle ages, was treated almost as an enemy, a deduction from the unity of papal Christendom.

The king repaid the support which he received by earnest attention to the interest of trade. He made English policy the policy of a commercial and industrial realm. His only wars were tariff wars, waged in the spirit of medieval protectionism, but with the object of pushing English trade, the cloth trade above all. Instead of conquests he made commercial treaties, of which this reign is a great epoch. Most renowned was the commercial union with Flanders, the mart of English wool and unfinished cloth, called by grateful traders the *Intercursus Magnus*. In this case diplomacy concurred with commercial policy, Flanders being the breeding-ground of Yorkist plots. But the same policy was pursued towards the Scandinavian powers, and the Spanish alliance brought freedom of trade with Spain. Henry also framed for the encouragement of the merchant navy the Navigation Act providing that English goods should be carried in English ships. Attention seems to have been turned to the opening of much needed internal communication by the improvement of roads. Henry at least left a legacy for the improvement of certain roads and bridges.

The king's policy was protectionist and vitiated by the fallacies of that system, though he imported weavers to teach the backward West their trade. It could not be otherwise in those days. Yet with the growth of com-

1496

1485,  
1489

merce, manufactures, and the desire of gain, competition was gaining ground, and was beginning to loosen the monopolist yoke of trade guilds. The decay of towns, of which the preambles of statutes in the next reign complain, has been ascribed to the flight of industry from seats where it was not free.

1496,  
1497

In the voyages of discovery, which were a most memorable feature of the age, the king took a frugal and cautious part. He lent his countenance and a sparing measure of aid to the Cabots, who sailed on a voyage of discovery from Bristol, the commercial capital of the west. The application of John Cabot for Letters Patent in favour of himself and his three sons, Louis, Sebastian, and Sanctus, is the earliest document in the archives of the colonial empire of Great Britain. The sunnier regions had been pre-empted, but the Cabots discovered probably the North American continent, certainly Newfoundland, which, wintry as it was, presented in its cod fisheries a gold mine richer than those of Eldorado. It is believed that the fisheries were frequented from the time of the discovery by the mariners of Devonshire, a venturesome and half-piratical race, and that the trade built up the prosperity of western England, while it must have developed, by bracing effort, the masculine character of the nation. Bristol, from which the Cabots sailed, was the heart of maritime enterprise and discovery. The chief seat of trade was the east, with its estuary harbours facing the continent. The seat of the iron trade was the weald of Sussex, where there was wood in plenty to smelt iron, which was not yet smelted with coal.

In the rural districts, as well as in the trading towns, a middle class was gaining ground. Since the change in



the character of the manorial system from the feudal to the proprietary, a yeomanry had grown up mainly of tenant farmers, but in part of freeholders, like what has been called the territorial democracy of the United States. Villain tenure, though still "base" in the language of law books and politically unenfranchised, had ceased to be precarious. It had become a recognized tenure by entry of the tenant's name in the rolls of the manorial court, under the title of copyhold. In the next reign Latimer in an often-quoted passage says of his father, "My father was a yeoman, and had no lands of his own, only he had a farm of three or four pound by year at the uttermost, and hereupon he tilled so much as kept half-a-dozen men. He had walk for a hundred sheep, and my mother milked thirty kine. He was able and did find the king a harness with himself and his horse. . . . I can remember that I buckled his harness when he went unto Blackheath field. He kept me to school, or else I had not been able to have preached before the king's majesty now. He married my sisters with five pounds, or twenty nobles apiece; so that he brought them up in godliness and fear of God. He kept hospitality for his poor neighbours and some alms he gave to the poor; and all this he did of the said farm." To the king's policy of material progress old Latimer's homestead was indebted for its freedom from feudal violence and from feudal calls to the battlefield, with leave to sow and reap in peace, while the benefit of the *Intercursus Magnus* was felt by the walk for a hundred sheep.

Though Edward IV. had been not less powerful than the Tudor, his power ended with his life, and the usurper who succeeded him had been fain to court the people.

The monarchy was placed by Henry VII. and by the powerful minister who ruled during the first part of the next reign on a firm and enduring basis. Absolute it never was in form nor entirely in fact. Five checks have been reckoned; the control of parliament over taxation, its legislative authority, the security given to personal liberty by Habeas Corpus, the liability of royal officers to suit or impeachment, and jury trial. Without parliament no regular tax was ever levied, and the benevolences or forced loans to which kings had recourse were evasions, not denials of the principle. The fifth check, jury trial, was reduced to a form in cases where the crown had an interest, especially in cases of treason, by the practice of brow-beating and fining juries. Habeas Corpus was set at naught by arbitrary imprisonment. Prosecution or impeachment of royal officers was hopeless unless the king gave the word. The use of torture to extort confession had apparently been introduced under the camarilla, in the reign of Henry VI., though the first recorded case is under Edward IV. It became customary, though it was never legalized, in connection with state trials before the privy council or the Star Chamber under the Tudors. An independent judiciary, the grand security for public and private right, there could not be when the judges were appointed by the crown, were paid by it, and held their offices during its pleasure. Yet professional duty or spirit triumphed in some degree over the servility of the legal placeman, and the common law, that is, the custom of the realm preserved and interpreted by the judges, may be reckoned among the checks upon arbitrary rule. Another check was the absence of a standing army, or any regular

force except the yeomen of the guard and the garrisons of Calais and the royal castles. The fact is remarkable and shows, no doubt, that in the main the Tudor monarchy met the temporary need and commanded the allegiance of the nation. This, indeed, is the birthday of loyalty in the sense of personal devotion to the crown. But it must be remembered that the crown had the sinews of war in its hands, and could quickly raise forces; that it had commanders ready, and the only train of artillery at its service; while in the country generally, except in the north, military feudalism was dead, its troops of retainers had been disbanded, and the lord had subsided into the land-owner with the phraseology of lordship in his title-deeds. But the greatest check of all on despotism was the spirit of the nation, still unextinguished, and sustained by food and other material conditions which English writers proudly contrast with the scanty fare and general wretchedness of the peasantry in France. Of private wrong, even of judicial murder, which did not touch the masses, the nation was too patient; it was not patient of arbitrary taxation, perhaps not of extreme outrage on nature, such as Richard's murder of his nephews. Nor was popular opinion mute. Tudor kings stooped to tune it through the pulpit. Printing was now becoming common, and thought might defy arrest.

The judges did more than preserve and supplement the law. Under the form of judgment they sometimes legislated, and in a popular and beneficent sense. By turning villain-tenure into copyhold or tenure by court-roll, they made it equally secure and heritable with freehold. By affirming the validity of fines and recoveries they unlocked land and facilitated its circulation.



Under Edward I., under Henry IV., and apparently under Henry VI., the House of Commons had been elective. Under the early Tudors it was elective in form, but it was packed with dependents and nominees of the court. After the fashion of a *congé d'élire*, the names of men whose election the court desired were sent down to the constituencies. In the next reign we have an all-powerful minister commanding that a free election of the members for a borough should be cancelled and his own nominees elected in their place, which accordingly is done. The lay peerage had been decimated and cowed, and it was outnumbered in the House of Lords by the prelates and abbots, of whom the prelates at least were nominees of the crown. When the judgments of parliament or the preambles of its statutes are cited as evidence, the composition of the House is to be borne in mind. There were no fixed times of election or dissolution. The crown could keep a servile parliament in being as long as it pleased. Yet in tampering with the independence of parliament the crown acknowledged its authority, and the House of Commons, if not really elective, was in a measure representative; at least on the question of taxation, where it had popular feeling strongly behind it. The knights of the shire, though returned under the influence of local grandees who were generally in alliance with the court, would probably be less subservient than were the burgesses, especially when the city was in the hands of an oligarchy, with which the government would find it easy to deal. In a certain sense the weakness of parliament may be said to have been its salvation. Had it been strong enough to wrestle with the Tudors they, with the influences and needs of

the time in their favour, would probably have destroyed it ; as it was subservient, they were content to let it live, to pay it a nominal deference, sometimes to let it relieve them of responsibility, and to wield supreme power under its forms.

Little independent as parliament was, however, Henry VII. seldom met it. He called but seven parliaments in his reign of nearly twenty-four years. There was one period of seven, and another of five, years without a parliament. By amassing treasure and avoiding the waste of war Henry had enabled himself to dispense with parliamentary supplies, to preserve at once his own popularity and the independence of his government. His trade was royalty ; he was not wrong in thinking that strong monarchy was better than feudal anarchy ; he would not have been far wrong in thinking strong monarchy better than government by an assembly, as political assemblies were in those days, ill-informed and untrained to business of state. A greater breadth of political vision was not in his nature and could hardly be expected of him in the circumstances of that age.

It is the well-known policy of absolutist kings to choose as their ministers not nobles but men of lower rank, thoroughly dependent on their master, bound up with his interest, ready to do his work, clean or unclean, and to shoulder the odium of his unpopular measures. Henry VII. chose ecclesiastics, whose service, besides being devoted and intelligent, was cheap, since it could be paid with bishoprics. Archbishop Morton and Bishop Fox were men after his own heart. Fox was his diplomatist and negotiated the Scottish marriage. Morton had been trained in the perilous days of the Roses, and

had played an active part in the conspiracies against Richard which paved Henry's way to the throne.

In his latter days the king fell into much worse hands than those of Morton and Fox. The craving for money as the sinews of power, and the means of making him independent of parliament, mastered his soul. He employed two agents of the sharp attorney type, Empson, a man of low birth, and Dudley, to extort money by the vilest practices of chicane, such as oppressive fines for fictitious offences, or tricky forfeitures and escheats. The treasure thus amassed enabled him to dispense with parliament during the last five years of his reign. But he accumulated odium in equal measure, and it was under the cloud of national hatred that, after a life of indefatigable industry in the public service, with careworn brow and melancholy step, he descended to the tomb. His work had not been the very highest, nor destined to last forever; but it was done. The immense pomp of his funeral betokened the height of power and majesty to which his policy had raised the crown.



## CHAPTER XVI

### HENRY VIII

BORN 1491; SUCCEEDED 1509; DIED 1547

IN an age of art the artists chiefly patronized by Henry VIII. were those who painted his own portrait. We know well his burly form, his face of animal comeliness, his attitude of self-assertion. He is described as accomplished in body and mind, though, in the zenith of monarchy, the accomplishments of a king were sure to be rated high, and few could be so uncourtly as to throw him in wrestling, beat him in archery, or unhorse him in the tournament. His courage was not tried in battle. In time of plague he showed great lack of it; nor was it needed in sending innocents to the block, or ordering the wholesale execution of peasants. Self-willed as he was, it is not unlikely that some of his murders were committed in order to rid him of an influence which he had not the moral force to throw off. He had a taste for letters, which he showed in patronizing Erasmus, but which did not prevent him from murdering the philosopher and the poet of his reign. He had read theology, and we find it in his letters to a mistress mingling with the unclean language of his lust. There is reason to think that he had a not unkindly nature, though by absolute kingship with a full treasury at nineteen it was spoiled and turned into a selfishness as intense as ever had its seat in the heart of man.

The reign opened with executions which were not the less judicial murders because the victims were vile. Empson and Dudley had been the accomplices of the late king. Their heads were flung to an enraged people. The treasure which their chicanery had amassed Henry squandered royally in court pleasures, in pageantry, and at the gambling-table, where his privy accounts show that he lost large sums. His meeting with Francis I. on the Field of the Cloth of Gold was a scene of prodigal folly and waste which took all lacqueys with ravishment and has betrayed the dramatist into bombast. He bedizened himself with gold and jewels. He went to war with a preposterous train. In building, also, he was lavish. Frugality might have made his monarchy absolute.

Henry's youth, however, his good looks, his brilliancy, his manner at once frank and high, his magnificence, which the people failed as usual to see was at their own cost, all in contrast to the severe bearing and unpopular habits of his father, won for him the heart of the commons; and the monarchy alone being now left on the political stage, with nothing else to stand between the country and the relapse into civil war, king-worship became a religion. England approached dangerously near to the blind loyalty which prevailed in France after the civil wars of the Fronde and gave birth to the splendid and fatal despotism of Louis XIV. Great monarchies were being consolidated in Europe, and their example acted on the Tudors as that of Louis XIV. afterwards acted on the Stuarts.

The judicial murders of Empson and Dudley might be palliated by their offences. Unpalliated was the murder of Suffolk, whose only crime was his Yorkist title to the

crown. The late king, having got him into his hands, had left him in prison, being restrained from putting him to death by a pledge which, it is supposed, his casuistry construed as personal and not binding on his successor, to whom he bequeathed the deed.

The early part of the reign is the government of Wolsey, the last, perhaps the greatest, and certainly the most magnificent, in the line of ecclesiastical statesmen. Wolsey had as his key to power the art of playing on a despot's humour. As he confessed on his death-bed, he put his king in the place of his God, and in the end saw his mistake. His policy was absolutist; he aimed at government without parliament. Yet he was patriotic in his way, for he sought the exaltation of England. He came from the right quarter for a vizier; a trader's son, self-raised, owing everything to royal favour, he could bow the knee better than any of the old nobility. Captivating the king by his address, relieving him of toil, and setting him free for pleasure by his indefatigable industry, Wolsey became practically king, and might write *ego et rex meus*. Master of church preferment, holding, besides his archbishopric of York and his chancellorship, rich bishoprics and the rich abbey of St. Albans, he heaped on himself enormous wealth. A cardinal's hat made him a prince of the church, and, somewhat to the detriment of his foreign policy, an aspirant to the papacy. His magnificence, his palaces, his train of gentlemen clad in velvet of the cardinal's colour, the eight ante-chambers with rich hangings, through which suitors passed to his presence, the silver crosses, pillars, and pole-axes, carried before and about him when he went abroad, the prodigal splendour of the



entertainments which he gave the king and court, his towering ascendancy and monopoly of the royal smile, cut to the heart the survivors of the old nobility, and they murmured, probably they formed designs, against the low-born minister. He quashed their designs, if he did not silence their murmurs, by sending to the block  
1521 their chief, the Duke of Buckingham, who suffered on the evidence of faithless servants for mere words which Tudor tyranny dubbed treason. Their estates were dilapidated, and they were made dependent on the favours of the crown by the expenses of the court with its pageants, its gambling-tables, and its Field of the Cloth of Gold. The old nobility, however, continued to form a party in the court, which struggled throughout the reign against the party of new men raised by office or court favour, such as Thomas Cromwell, Boleyn, Paget, Seymour, Audley, and Russell, and against the new policy of which the new men were the agents.

The House of Commons being elected under court influence, while the Lords had lost their retainers and their spirit, parliament on most questions sank into an engine of the government; though the Tudor never ventured to dispense with its authority as the Bourbon dispensed with the authority of the States General, but was even fain, in his dealings with foreign powers, to shelter his own responsibility beneath its ostensible freedom. At the king's bidding it betrayed the safeguards of liberty, and came near to moral self-extinction. It passed the most profligate of repudiation acts, not only releasing the king from the obligation to pay his debts, but compelling those whom he had paid to refund. It attainted and sent to the scaffold without trial or confession the

victims of his displeasure. It multiplied treasons so that anyone who incurred the king's frown was a traitor. It gave the king's proclamations the force of law. It enabled him to dispose of the crown by will. It capped its compliances by enacting in favour of his infant heir that a king on coming of age should have power to cancel all laws made during his minority. At the name of the king members rose from their seats and bowed as they would bow at the name of God. Preambles of statutes in this reign are nothing but manifestoes of the government. What noble or distinguished heads fell on the scaffold the common people cared little. The Wars of the Roses had made them familiar with such spectacles, and they were not enlightened enough to see that the axe which struck off the head of More, Fisher, or Surrey, slew public liberty in his person. The only tyranny which in general they took to heart was taxation, to which the king, having squandered his father's hoard, was compelled by his prodigality to resort. Against this a spirit of resistance was shown. An exorbitant demand of Wolsey on the taxpayer brought on a storm to which the king prudently and gracefully yielded, leaving the odium on his minister. The Tudors had tact, and showed it especially in concession. There was a Celtic strain in their blood. Statutes restraining freedom in the conveyance of property or liberty of bequest, as they touched the material interest of the commons, also encountered a certain amount of resistance. 1525

It has been said that the forms of law were preserved. As a rule they were, and in the end they proved most valuable. Yet even the form of the Great Charter was scarcely preserved when a man was attainted for treason

and put to death without a hearing. In cases of treason the courts in these times, as Hallam says, were little better than the caverns of murderers. The real trial, if it could be so called, was before the privy council, which sat in secret, used torture, and generally prejudged the case. A subservient judge and jury merely registered the sentence of the council. In the treatment of the prisoner at the bar of what was called justice, not justice only but decency was disregarded. The House of Lords, which tried peers, was a hardly less passive tool of the government than the common tribunals. The noblest and most innocent head was as much at the mercy of the despot in England as at Constantinople. Verdicts, even of the peers, are worth no more as historical evidences than the preambles of statutes.

Was the Tudor government popular? Its eulogists say that as it had no standing army but the yeomen of the guard, it must have rested on the free allegiance of a loving people. It had, besides the yeomen of the guard, its park of artillery, the forts, and their garrisons. It had some ships of war. It could hire mercenaries at need. It had in its interest the local authorities, military as well as civil, the old feudal nobility having been supplanted by a new nobility of crown favour, and the troops of retainers having been dissolved. Buckingham, about the last feudal magnate who could have made head against the power of the monarchy, was put to  
1521 death early in the reign. Insurrection in the middle and lower classes was thus deprived of its almost indispensable leaders. Popular, no doubt, the government was as a security against the dreaded renewal of civil war. It was popular as being national, not feudal.



Aristocratic opposition to it had been broken; no other opposition had been formed; and the middle classes, having turned their minds away from politics to commerce and the acquisition of wealth, were ready to welcome a strong rule. Yet there were insurrections, serious, and not easily put down. Opinion being thoroughly fettered, we have no means of knowing what Englishmen in general really thought of their king.

The first two decades of the reign are full of diplomatic intrigue and wars of royal rivalry. Three young kings, Henry VIII., Francis I., and Charles V., who had all been competitors for the august title of Cæsar, made Europe the gambling-table of their restless, senseless, and unprincipled ambition. The wars were without object or substantial result, while, being carried on largely with armies of freebooting mercenaries, they inflicted on the people miseries untold, culminating in the sack of Rome by the imperial hordes, one of the great horrors of history. Diplomats, of course, were in request, and diplomats of the kind afterwards described by Wotton, when he said that an ambassador was a man sent to lie abroad for the service of his country; men perfect in their sinister craft, consummate masters of intrigue and dissimulation, ignoble precursors of the noble profession which has in better times made diplomacy on the whole a ministry of justice, peace, and goodwill among nations. Now comes the era of espionage, bribery, treachery, and political assassination. Whichever of the three royal gamesters was for the time the winner had the other two against him. Here we have that diplomatic idol, the balance of power, which has cost the nations dear.

Henry's passion was vanity; he loved to think himself the arbiter of Europe. At one time he had formed a wild design of renewing the enterprise of Henry V., the memory of whose fatal victories the nation still cherished, and asserting in arms his claim to the crown of France. He laid down his money freely and was fooled by both his allies in turn, especially by the politic and cold-blooded Charles V. He paid no heed to the sagacious adviser, who bade him turn his eyes from the field of empty and fleeting glory in France to that of solid and lasting acquisition in the north of his own island. By quarrelling with France he brought down upon himself, as a matter of course, an attack from Scotland, whose  
1513 wires France always pulled; and the victory of Flodden, not followed up by conquest, remained a splendid victory and nothing more. An attempt was made in a better spirit to provide for the union of the crowns by the marriage of Henry's infant heir with the infant heiress of Scotland. But through Scotch jealousy and faction, aided by Henry's arrogance, it failed, and a renewal of the senseless war of devastation, with the barbarous sack-  
1542 ing of Edinburgh, deepened the gulf of hatred between the two sections of the English race.

The revived monarchy, however, did not fail to show its force within the islands. A dynasty partly Welsh aptly completed the Welsh union. By a series of statutes the principality was politically incorporated with England, a limit was put to the irregular domination of the Lords Marchers, all Wales was made shire ground,  
1536 with English laws, local self-government after the English model, and parliamentary representation; the only distinction of importance left being that Wales was not

included in the circuits of the English judges, but had special sessions of its own. Political incorporation, however, did not efface the difference of language or of character. These the Welsh hills preserved and in some measure preserve now.

Ireland also felt the new force. Hapless Ireland, and hapless England in her dealings with Ireland, and in all the bitterness, trouble, and danger which these dealings have entailed! If there is a ease in which historical fate may be accused rather than man, rather, at least, than any single man or set of men, it is the case of England and Ireland. Had Anglo-Norman conquest of Ireland been complete, as was Norman conquest of England, it would have been followed by fusion of the conquering with the conquered race. Undertaken, not by government, but by private adventure, it was left incomplete. Private adventure had neither force nor desire to penetrate mountain, bog, and forest. The centre of English power was far away. The road lay through Welsh mountains long unsubdued. The arms of the monarchy were diverted to French fields. Alone of the kings, Richard II. led an army to Ireland, and he returned from a futile expedition to find his kingdom lost. The sojourn of Lionel, Duke of Clarence, son of Edward III., produced a momentary reformation. "Because," says Sir John Davies, "the people of this land, both English and Irish, out of a natural pride, did ever love and desire to be governed by great persons." If British monarchs could only have seen this and done their duty! The channel over which the Dublin and Holyhead packet now so swiftly shoots was then a considerable sea. The result was an Anglo-Norman Pale



of which Dublin was the centre. Outside the Pale the septa remained in their primitive state, with the clan system, no central or regular government, no cities, scarcely any agriculture, a pastoral and unsettled life, and general lawlessness under the name of Brehon law. A ruthless war of races was always going on. As the hostile Indian is to the American frontiersman, so was the native Celt to the Anglo-Norman of the Pale. At the same time, there was constant war among the tribes. Nothing is more cruel or more hideous than a protracted struggle of semi-civilization with savagery. A native was to the Englishman as a wolf, and the native skene spared no Englishman. Nothing could prosper. In the little English sea-board towns, petty commonwealths in themselves, there was order and some commerce. Galway preserves in her architecture and her legends the picturesque and romantic traces of her trade with Spain. Elsewhere was nothing but turbulence and havoc. A parliament there was in the Pale, but it was a scarecrow. Judges there were in the Pale, after the English model, but they had little power to uphold law. The church was feeble, coarse, and almost worthless as an instrument of civilization. What there was of it was rather monastic than parochial, the monastery being a fortalice, and, in a general reign of crime, perhaps drawing endowment from remorse. Only the friars were zealous in preaching. The church seems not to have acted as a united body, to have held no synods, and to have been divided, like the population, by the race line. Ecclesiastics fought like laymen, and appear to have been as little revered. A chieftain pleaded as an excuse for burning down a cathedral that he had thought the archbishop was in it. In

the Celtic districts the calendar of ecclesiastical crimes, or crimes against ecclesiastics, given by the Four Masters between 1500 and 1535, comprises Barry More, killed by his cousin the archdeacon of Cloyne, who was himself hanged by Thomas Barry; Donald Kane, abbot of Macosquin, hanged by Donald O'Kane, who was himself hanged; John Burke, killed in the monastery of Jubberpatrick; Donaghmoynes church, set on fire by McMahon during mass; Hugh Maguinness, abbot of Newry, killed by the sons of Donald Maguinness; the prior of Gallen, murdered by Turlough Oge Macloughlin; O'Quillan murdered, and the church of Dunboe burned, by O'Kane.

Some of the Anglo-Norman barons, finding tribal anarchy even more lawless than feudalism, doffed the hauberk, donned the saffron mantle of the Irish tribe, and became chiefs of bastard septs. The crown, by enactments which seem like an inhuman perpetuation of the estrangement between the races, strove to prevent this lapse of the Englishry into barbarism, but strove in vain.

While England was torn and her government paralyzed by the Wars of the Roses, the Pale was reduced to a district comprising parts of four counties, and defended by a ditch. Had there been among the Celts any national unity or power of organization, here was their chance of winning back their lands. But they were fighting among themselves as fiercely as they fought against the Pale. As a learned Irish writer says, patriotism did not exist; there was no sentiment broader than that of the clan; nor was the rival clan less an object of enmity than the Englishry. Soon the chance of the Celts was lost. Out of the wreck of the aristocracy in the civil war rose the powerful monarchy of the Tudors. The thoughts of

Henry VII. had been turned to Ireland, where the Pale was Yorkist and had been the scene of Yorkist conspiracy. Compelled perhaps in the infancy of his power to prefer policy to arms, he sought to govern Ireland through its local chiefs, the greatest of whom was Kildare, the head of the bastard sept of Geraldine, saying, when he was told that all Ireland could not govern Kildare, that if it were so Kildare must govern all Ireland. He, however, sent over a strong deputy in the  
 1494 person of Sir Edward Poynings, and brought the parliament of Ireland, which was merely that of the Pale, under the control of the English government by two enactments, one requiring all Irish legislation to receive the  
 1494 previous assent of the English council, the other making all English laws operative in Ireland. Henry VIII., strong in the power which his father had bequeathed to  
 1542 him, took the title of king of Ireland in place of that of lord under the pope, and resumed the task of conquest. But he also was drawn away by his vanity to chimerical adventure on the continent, and the Irish service was starved. Soon, to the deadly animosities of race in that island of strife, was to be added the deadly animosity of religion.

The event of the reign, however, is that which here is not very aptly called the Reformation. The time for the revolt of the Teutonic nations against the Latin theocracy was now fully come. The papacy, after its return from  
 1408 Avignon to Rome, had in some measure recovered its  
 1378- authority. But it had since been disgraced by schism,  
 1447  
 1439 by the portentous appearance of three rival popes, by the arraignment of its scandalous chiefs and the exposure of their corruption before general councils, by the monstrous



vices of the Borgias, the outrageous secularism of Julius II., and the paganism of Leo X. Cultured and sceptical intelligence with the pen of Erasmus, the Voltaire of his day, had mocked at its superstitions, its thaumaturgy, its false miracles and apocryphal relics, its ignorant and obscurantist monkery. Erasmus had made a satirical pilgrimage to the shrine of the great ecclesiastical martyr, Thomas Becket. In terrible earnest Luther, Zwingli, and the young Calvin, representatives of the serious spirit of the Teuton and his love of truth, had given the signal for revolt from the falsehood and the formalism which were destructive of spiritual life. Northern Germany and Switzerland had renounced the papal faith and rule. Some time before, the seeds of Wycliffism had been carried by students to Bohemia, who in her own wild way had raised the standard of religious rebellion, and had given martyrs to reform in the persons of John Huss and Jerome of Prague. Catholics of the more liberal and evangelical school, such as Contarini and Pole, were ready not only to reform abuses, but to make doctrinal concessions to protestantism, even to recognize as fundamental the doctrine of justification by faith. For the reunion of Christendom they looked forward to a general council. Their hope might have been fulfilled and Christendom might have been spared two centuries of havoc, material and moral, the moral worse than the material, if the wealth and earthly greatness of an enormously rich and powerful priesthood had not been bound up with papal supremacy, priestly control of the spiritual life through the sacraments, transubstantiation, purgatory, and the confessional; if, it may be added, there had not been a vital bond between priestcraft and kingcraft, between papal supremacy

1415  
1416

1545  
sq.

and royal absolutism, between spiritual thralldom and political submission. As it was, the hope of Contarini and Pole was vain. When the general council, so much desired, came, it was not a council of healing and reunion, but the council of Trent.

In England the revolution was less doctrinal than political and social. Lollardism, if not dead, had slunk into obscurity. Of Wycliffe, there remained in England little more than his Bible, which, like his doctrines, was proscribed. In the reign of Henry VI., Pecoock, a liberal divine, the Arnold or Stanley of his day, had essayed to preach a rational and comprehensive religion, but he had been at once put down. The people in general, in the rural districts at least, still were, and long continued to be, attached in a dull way to the old religion, with its ritual and its festivals, with its transubstantiation and its seven sacraments, with its purgatory and its prayers for the dead. Nor can we wonder at its hold when we see its resurrection, fleeting though it may be, in our own day. The chief religious movement was among the men of intellect, such as More, Colet, Linacre, Grocyn, and Pole, of whose circle Erasmus, when he paid them a visit, was the centre. These men looked to the sun of learning and education to chase away the shadows of superstition; warred rather against monkish stupidity and torpor than against anything in the creed or constitution of the church; and hoped that enlightened authority, assuming the guidance of reform, would make the past slide quietly into the future.

To the English people in general the pope, though undisputed head of Christendom and holder of the keys, had always been a foreign power, revered, perhaps, and

dreaded, but not greatly loved. The tribute which he extorted, and which the exigencies of his ambitious quarrels made more grinding, had always been grudgingly paid, particularly when it took the scandalous form of the appropriation of English benefices to Italians who drew the incomes at Rome. Resistance to papal abuse, fiscal and in the way of patronage, had been commenced by Grosseteste in the reign of Henry III. It was continued at intervals from that time. Edward I. had compelled the clergy to submit to national taxation. The statute of Provisors had barred the appropriation of benefices by the pope, that of Præmunire had barred papal interference by means of bulls and legatine commissions; though the statute of Provisors was much evaded, the crown going shares with the pope, while the statute of Præmunire was at that time unequivocally set at naught by Wolsey's commission as legate. The pope still drew his first-fruits from English benefices; he still received his Peter's pence; the Roman Curia still sold to English suitors ecclesiastical judgments and dispensations from the canon law, particularly from the law of marriage. The crown having the power of granting licenses in mortmain, and chancellors being churchmen, the wealth of the church, notwithstanding the statute, had continued to grow. Her estates, apart from tithe, formed by this time no small portion of the landed property of the realm. They were ever on the increase; they could never come back into circulation; and as of their possessors a great many were drones, they were an incubus on the industry of the nation. In the Reformation, economical as well as spiritual and intellectual causes were largely at work. Church courts also excited intense hatred by their vexa-

1350

1393



tious enforcement of an effete system of discipline for the sake of the fees and fines; by their interference with wills, a province of law which they had usurped; by the prying tyranny of the official harpies who lived on them; and at this time by their inquisitorial persecutions of what they and the law styled heresy. The inhabitants of the cities, especially, vexed in their purses and in their persons, learnt to hate the clergy, and, if active-minded, to question the clerical creed. A citizen of London, confined on a charge of heresy in the bishops' prison, was found hanged in his cell. It was given out that he had committed suicide. But the chancellor of the diocese was indicted for murder, and it was held that if the case came to trial before a common jury there would be little chance of his acquittal, since, as a bishop said, London juries were so prejudiced against the church that they would have found Abel guilty of the murder of Cain. The immunities of the clerical order from the criminal law, though by this time reduced, still sheltered criminal clerks from justice. The noxious privilege of sanctuary still prevailed. Clerical corruption and indolence, the sure offspring of a plethoric establishment; the concubinage to which the rule of celibacy drove men, whose passions it could not extinguish, and of which popes and prelates, Wolsey among them, set the example; the abuse of church patronage as payment for secular services, or for the purposes of nepotism; the pluralities; the sinecurism; the robbery of parishes by the monastic appropriation of tithes; the knavish mendicity of the friars; the worldly greed and pride of the whole clerical order, could not fail to produce their effect on opinion. These things stirred the people more than theological doubt

or spiritual aspiration. Yet it is truly said that there was growing up, especially among the middle classes in the cities, a plain morality which revolted from the formalities, hypocrisies, and casuistries of the church. The printing press was now in full activity. Opinion had become popular and European. The continental movement could not in any case have failed at last to make its way to England.

In catholicism, however, there was some salt of genuine religion still left. There was a spiritual life which was still essentially sacerdotal and sacramental. There was an intense attachment to the unity of the church. Catholicism will have its martyrs; it will have popular risings in its favour; it will presently have its revival and its self-reform. Even in our own day it will draw back to it gifted and cultivated minds.

Wolsey, an English Leo X., was, like his Italian counterpart, a loose liver, and as a non-resident archbishop a signal instance of ecclesiastical abuse. But, like Leo, he was a friend of learning, and thus a reformer in the intellectual way. Nothing was dearer to his heart than his foundations at Oxford and Ipswich. He patronized the new studies; nor does he seem in the choice of teachers for his colleges to have shrunk from the new ideas. Probably, like Leo, he despised rather than hated the religious enthusiasm of the Reformers. His master, on the other hand, was a strong papist, had descended from his throne to enter the lists of controversy against Luther, and for the aid of his royal pen had received from the pope, and was proud to bear, the title of 1521 Defender of the Faith. Protestantism, connected as it was with social and political innovation, could not fail

to repel an absolutist monarch. A convert to its doctrines this monarch never was. Assuredly if by protestantism is meant freedom of religious thought and liberty of private judgment, nobody was ever less a protestant than Henry Tudor. In the midst of his own ecclesiastical innovations he offers to orthodoxy a holocaust of Anabaptists. An Act for the punishment of heresy went hand in hand with his renunciation of the pope.

The sole cause of Henry's secession from the papacy and of religious revolution so far as he personally was concerned was his desire of a divorce. Divorce, it is called, and Pope Clement is arraigned for having refused, from fear of the Emperor's wrath, to exercise the power which he is assumed to have possessed of dissolving the marriage of Henry with Catherine of Aragon, that there might be a male heir to the throne. The pope had no such power. Marriage in the church of Rome is a sacrament, and when solemnized between baptized persons and consummated, if not even without consummation, is indissoluble. All that the pope could do was to declare the marriage with Catherine void from the beginning, on the ground that Catherine had been the widow of Henry's brother Arthur, and that this was a degree of affinity beyond the power of papal dispensation, being prohibited by the law of God, whereby he would have been reversing the act of his predecessor in the chair of infallibility, who had granted and confirmed the dispensation. It is true that the dissolution of marriages with liberty of marrying again on pretended grounds of affinity or pre-contract had been common, and that the church, the professed guardian of matrimony, had thus pandered largely



to license among the classes which could afford to pay for her decrees. But the voidance of a marriage on the ground of affinity or pre-contract is a different thing from a divorce.

Whether weariness of Catherine of Aragon, a wife six years older than her husband, and now without hope of male offspring, had preceded in Henry's mind his passion for the pretty, coy, and artful maid of honour, Anne Boleyn, is a question alike insoluble and unimportant. Nor can we tell whether he succeeded in self-mystification so far as to persuade himself that he was moved by a scruple of conscience to gratify his weariness of one woman and his passion for another. The letter to Anne Boleyn in which he blends theology with the coarse outpouring of his passion, is probably a fair key to his state of mind. He had lived with Catherine for eighteen years without misgiving. She had been a good and faithful wife to him, and she had borne him several children, though Mary alone had lived. With continence he cannot be credited. He owned to one natural son. In his ways of compassing his object conscience assuredly had no part. He first tried a collusive suit before the ecclesiastical authorities of his own realm. As this device failed of effect, he plied all the arts of a sinister diplomacy through unscrupulous envoys at the papal court. He extracted opinions in his favour from his own universities by bullying, from foreign universities by political influence or corruption. He suggested that the queen should be induced to take in common with him monastic vows, and that when the nunnery door had closed upon her he should be released by the pope. He lied to the pope. He lied to Catherine. He lied to his

people, whose hearts were with the wronged wife, while their commerce dreaded a rupture with the Emperor, Catherine's nephew, who was master of Flanders, their principal mart. If we may trust the chronicle, he most solemnly assured a great public assembly that he loved Catherine above all women, and vowed that nothing but his conscientious scruples prevented him from keeping her as his wife; this at a time when he was moving heaven and earth to get rid of her, and declaring his love to another woman. He tried to get into his hands, through his influence over Catherine, a document important to her case which was in the keeping of her nephew, with the evident intention of destroying it. He insulted his wife and unmasked himself by openly installing in the palace his paramour as a rival queen. The draft dispensation for his marriage to Anne submitted to the pope, and the table of affinities engrafted on a subsequent 1534 Act of Succession, with evident relation to his marriage with Anne, coincide with the report current at the time, that Anne's sister, Mary Boleyn, had been Henry's mistress; in which case the conscience of the king, if he was to be believed, was driving him out of a wedlock of prohibited affinity into a wedlock of incest. This would hardly have been possible in any age but that of the Borgias and Julius II. The conduct of Catherine, nobly firm in maintaining her right, the right of her daughter, and that of all wives, yet loyal and gentle, is the redeeming element in a vortex of villainy and falsehood. The heart of the people was with her and against the new wife, even in cities such as London, which were the centres of the new opinions.

The pope, of course, could not be deceived as to

Henry's motive, or as to the moral rights of the case. But what he would have done had he not been in awe of the Emperor we cannot say. He was placed between two millstones. He was apparently ready to connive at anything if he could only escape responsibility. Wolsey, in the cause of his master's passion, plied all his diplomatic arts. But the upshot was a legatine commission in which Campeggio was paired with Wolsey. Campeggio, Catherine resolutely refusing to take monastic vows, went with his colleague through the form of a trial, in which Henry, to exalt his royal dignity, appeared as a suitor before a foreign tribunal in his own dominions. Catherine, resisting all insidious overtures, appealed against the tribunal, and the end, after a tissue of chicanery, was an avocation of the cause to Rome. 1528 1529

The vizier having failed, though through no fault of his own, to do what the sultan wanted, his head fell. Wolsey, having served the king all these years with untiring industry and unscrupulous devotion, faced for him the hatred of the people, lifted him to a height among kings to which he never could have raised himself, was not only cast down from power but disgraced, not only disgraced but prosecuted under the statute of Præmunire, condemned, and stripped of his goods. The pretext was his exercise of legatine power, which Henry, for his own purposes, had used his influence at Rome to procure for him. Henry and Anne Boleyn went to York Place, Wolsey's palace, to gloat with greedy eyes over their rich spoil. Ipswich was seized by the royal robber. The cardinal's college at Oxford escaped after an hour of extreme peril with the loss of a part of its endowment, while the title of Founder was usurped by the king. 1529



1530 Adversity restored Wolsey to himself. He went down to his diocese of York, did his duty there as an archbishop, led a religious life, and won the hearts of his people. Henry, with a lingering spark of good feeling, or possibly from a lurking fear of a man whose powerful mind he knew, had kept on the mask towards Wolsey, and sent him a ring as pledge of regard. But the woman at his side fancied that Wolsey had crossed her design, while the members of the aristocratic party at court, to which the plebeian statesman was with good reason hateful, alarmed by his popularity in the north, and fearing that he might recover the king's favour, determined to finish the work. Setting on foot a plot of which a faithless dependent was probably the instrument, they procured the cardinal's arrest for high treason and were bringing him from Yorkshire as a prisoner, with the intention, probably, of dealing with him as he had dealt with Buckingham, when he was snatched from their grasp by death. "If I had served God as diligently as I have done the king, He would not have given me over in my grey hairs;" so said Wolsey in his last hour. God, whom he had not served, had not deserted him in the day of his misfortune, making it his better day. The touching fidelity of Cavendish and others of Wolsey's household to their fallen master partly redeemed the age.

1532 or 1533 Seeing that he had been duped, and that there was no hope from Rome, where the Emperor upheld the cause of his aunt, Henry rushed into a private marriage. In so doing he broke with the papacy, and though he tried to repair the breach, negotiation proved vain. At a later stage of the contest the pope, Paul III., excommunicated 1535 him, and at last pronounced sentence of deposition. 1536

The rupture was complete. Teutonic England, with other Teutonic nations, secedes from Latin Christendom. Europe will henceforth be no longer a catholic federation, but a group of nations, each moving on its own path, intellectually as well as politically, and with no bond, apart from special alliances, but that of a common morality, the main articles of which survived the schism, and so much as there might be of regard for international law. Religion is no longer universal but national, and instead of being a link of union is often a source of mortal enmity between nations. The great catholic monarchies remain grouped round the papacy, though they also are more national than before. Opposed to them will be the protestant powers, without unity of creed, but linked together by a common enmity and a common peril.

The divorce was to be pronounced and the new marriage was to be confirmed by home authority. With a view to this and in fulfilment of the king's designs upon the church, the archbishopric of Canterbury was given to Cranmer, a good man, but pliant, now called to be the theologian and liturgist of the Anglican Reformation. Cranmer had suggested the reference to the universities. He was privately married against the canon, and was thus at the mercy of the king, who could at any time have unfrocked him for breach of vow. He did his master's will. 1533

By her coy and patient artifice Anne Boleyn had won the crown. She wore it not long. She bore the king a daughter, Elizabeth, but not the male heir on whose birth his heart was fixed and his hopes were built. Henry grew weary of her, bickered with her, fell in love with Jane Seymour, a lady of the court. On a sudden 1533

1536 Anne was arrested and accused of treason in flirting with three gentlemen of the court, Norris, Brereton, and Weston, and with Smeaton, a musician. To swell and blacken the indictment she was also hideously accused of incest with her brother, Viscount Rochford. She protested her innocence, and of her alleged paramours one only, Smeaton, confessed, and he under terror of the rack, a regular though illegal engine of Tudor tyranny. She was tried by a court of subservient peers, over which professionally presided the villain and sycophant Audley. As high steward sat her uncle, the Duke of Norfolk; from that den of tyranny and intrigue natural affection as well as justice had fled. Before her mock trial parliament had been called, in anticipation of the verdict, to re-settle the succession. After her conviction she was made to confess to Cranmer in secret something which had been an impediment to her marriage with the king, that her marriage might be declared null and her child excluded from the succession. What she confessed there can be little doubt was that her sister had been the mistress of the king. If the marriage was null, it followed that she had never been queen consort, and could not by her adultery have committed treason; but law stood in the way of the despot as little as justice. Anne Boleyn probably was a bad woman. Perhaps she had upon her head the blood of catholic martyrs, and would have had that of Wolsey had he not been rescued by death. But she was Henry's wife. Her head had been laid upon his breast. She was the mother of his child. Probably she was the only woman whom he had really loved. While she was being tried for her life he shocked the people by the indecency of his revels. The day after



her execution he took to wife Jane Seymour, on whom he had set his affections, and for whose sake, partly at least, it cannot be doubted, Anne was murdered. 1536

Of those who were accused with Anne, Smeaton alone confessed. But the others failed to protest their innocence, and this is a feature common in the judicial murders of the reign. It rested with the king to say whether the condemned should be beheaded or suffer the death of torture prescribed by the treason law. It rested with the king to say whether the wife and children should be deprived of bread. But, moreover, the despotism spread a pall of terror beneath which all hearts, as well as heads, bowed to the decree of the despot, as that of some superior and almost superhuman power. History can produce a parallel. When Philip Mary, tyrant of Milan, to get rid of his wife, Beatrice, of whom he was tired, accused her of an intrigue with Michael Orombelli, though the charge was undoubtedly false and was to the last denied by Beatrice, Orombelli repeated on the scaffold the confession which had been first wrung from him by the rack.

The divorced wife had put an end to the fear of the Emperor's intervention by preceding her rival to the tomb, not without suspicion of foul play. When she died the king gave a court ball, appeared at it in gay attire, and carried the little princess Elizabeth round the circle in triumph. There have been bloodier tyrants than Henry VIII.; there never was one more brutal. There never was one who more trampled on affection. Those who deem affection a small part of our life and weal, or of our civilization, may think Henry a good king. 1536

Henry meantime had been borne forward in religious

innovation. He had now found a new vizier, a layman, not a cardinal, and one ready to go all lengths. Thomas Cromwell, a trusted servant of Wolsey, had leapt nimbly, and not without grace, from the foundering barque of his maker's fortunes into the royal ship, of which he presently grasped the helm. Doubt hangs and fable has gathered about the early part of this man's career. He appears to have been a roving adventurer, afterwards a scrivener and money lender; then a confidential dependent of the cardinal, and employed in the suppression of monasteries for the cardinal's foundation at Oxford, which gave him the first taste of confiscation. Cromwell was exceedingly able, daring, and absolutely without scruple; the English counterpart of William of Nogaret, the familiar of Philip the Fair, and destined to a work not unlike the outrage on Pope Boniface and the destruction of the Templars. His gospel was Machiavelli. Religious conviction he probably had none. Of conscience he was wholly devoid. But he saw that, in the king's present temper, protestantism, or at least war on the pope and clergy, was the winning game. He pricked the king onward and opened to him a vista not only of power, but of immense spoils.

1531 The first blow was struck at the clergy. They were all pronounced liable to the penalties of Præmunire for having submitted to Wolsey's exercise of the legatine power, and an enormous sum of blackmail was demanded of them as the price of their pardon. As the king himself had not only sanctioned Wolsey's legateship, but appeared in the case for the divorce as a suitor in Wolsey's legatine court, this was an act of brigandage made fouler by chicane. The clergy, however, succumbed and the blackmail was paid. The laity had been formally

included in the Præmunire, but to levy the blackmail on them would have been unsafe.

The attack was presently turned against the pope. His first-fruits were made over to the king. His Peter's pence were stopped. His appellate jurisdiction was swept away, and the judgment of the king's courts, ecclesiastical as well as civil, was made final. The absolute appointment of archbishops and bishops was vested in the crown, though under the form of a compulsory election by the chapter. Advancing, the king transferred to himself the entire papal authority, causing himself to be declared by parliament the only supreme head in earth of the church of England. Convocation bent, assuredly against its conscience, to the royal will. Cromwell, a layman, was made vicar general and presided in convocation for the king, while the legislative power of that assembly was brought absolutely under royal control. Thus an estate of the realm which had hitherto been in some measure independent, having a European centre beyond the royal power, and had formed an important factor in the conflict of forces by which the constitution was wrought out, lost its independence, and became a momentous addition to the force of the crown, the political fortunes of which it henceforth shares. On the other hand, the English monarchy had severed itself from the catholic monarchies, and from the common cause of kings. Alone it will have to face the spirit of innovation which it has evoked, and which will presently turn to political revolution.

The king had now grasped dominion over the spiritual as well as the political and social life of the nation, and in the spiritual sphere his power was untempered even



by a packed assembly, since convocation had become a mere organ of the crown. He presently exercised his papal power by giving his subjects a religion under the  
1537 title of "The Institution of a Christian Man." It was substantially the old religion with the king substituted for the pope. In putting it forth the king proclaimed himself responsible for the souls as well as the bodies of his subjects. It is to the king, he says, that scripture gives all power of determining causes, of correcting errors, heresies, and sins. That the nation could tamely allow such a man to put himself practically in place of God shows that the monarchy must have been strong, and that hatred of the papacy must have been deep.

But there were catholic consciences in England. Sir Thomas More, whose character as a man, as a judge, and as a Christian shines like a star in the night of iniquity, was a humanist and a reformer of the intellectual school.  
1516 When he wrote his "Utopia" he was a thorough-going liberal. But he grew devout; the excesses of religious innovation made him conservative; he wrote vehemently against heresy. In office he treated it as a crime, as by law and universal opinion it then was. He had to plead guilty to some acts of personal severity against heretics. That he put heretics to death is untrue. Erasmus positively denied it in the face of Europe. Nor was persecution More's crime in the eyes of the despot, who was always burning heretics, while he treated as heretics all who refused to bow their consciences to his will. More had been a familiar friend of the king and had helped him in the composition of his treatise against Luther. He had warned the king against excessive exaltation of the pope's authority, and the king had

replied that he could not say too much in favour of the authority to which he owed his crown. He understood Henry's character, and to one who congratulated him on the signs of the royal favour he said that the king was kind to him, but that if his head could buy a castle in France it would go. On Wolsey's fall he became chancellor. Upon the breach with the papacy he resigned. He did no seditious act; he spoke no disloyal word; but he declined to swear against his conscience to the Act of Succession, framed, in defiance of the papal authority, to legitimize the marriage with Anne and make her descendants heirs to the crown, or to the Act of Supremacy making an earthly despot head of the church. It was the special infamy of these statutes that they violated the sanctuary of conscience, and required not only submission but an oath of assent. A base attempt was made to entrap More into a treasonable avowal through Rich, solicitor-general, a miscreant conspicuous even in that age. He was attainted and murdered. With him for the same cause died Bishop Fisher, the best of the catholic prelates. The real crime of both was that, with their high reputation, their rectitude smote the conscience of the king and probably that of his paramour. Indignation filled the catholic world, and found eloquent expression by the pen of Erasmus. It extended even to the Lutherans, who had looked up to More, catholic though he was, as a reviver of learning and of light. In vain the government put forth in its defence a lying manifesto. The sophisms by which these murders have been defended may be passed over with scorn. Words are not treason; much less is silence, the only crime of Fisher and More. That England was then threatened with in-

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1535

vasion by catholic Europe is a figment. Nor if she had been, would her government have been rendered safer by acts which filled with horror not only the catholic world abroad but the great majority of her own people. That More and Fisher would have been led by their principles to join an invading army is a suggestion too ridiculous for discussion. If the object in these proceedings was the reform of religion, could the religion of Jesus Christ be restored by shedding innocent blood? O Liberty, what things have been done in thy name! O Jesus, what things have been done in Thine! The plea of inevitable necessity is pathetically put forward by a paradoxical defender of these executions. Why was a train of judicial murders indispensable to the Reformation in England any more than in Germany, Holland, or Switzerland?

Partners with More and Fisher in martyrdom, not to the catholic faith alone, but to spiritual liberty and truth, were the monks of the Charter House, in whose heroism the religion of the middle ages shot a departing ray. Refusing, as not only every catholic but every protestant worthy of the name would now refuse to take, the tyrant's tests, they were iniquitously and cruelly butchered. Of some of them who are in prison one of Cromwell's minions writes to his master "that they be almost despatched by the hand of God"; that is, they had been nearly killed by being kept chained upright to posts, or by the filth and stench of their dungeons.

The schism, and the murder of Fisher and More, stung to frenzy Reginald Pole, a kinsman of the king and one of the most distinguished ecclesiastics of the day. Pole was a member of the liberal circle of Contarini, which sought reconciliation with the protestants on favourable



terms, including the recognition of justification by faith as a cardinal doctrine. But like other men of his time he believed in the necessity of church unity, and could ill brook its disruption by a despot's lust. He wrote a violent treatise in defence of church unity and against royal usurpation. He most unwisely tried to stir the catholic powers to a crusade, but found that the politicians were cool-headed and that the age of crusades was past. Nor was it ever possible to allay the mutual jealousies of the two great rivals, the Emperor Charles V. and Francis I. of France, so far as to get them to draw their swords in the same cause. The only result was the execution, after a mock trial for treason, of Pole's mother, the Countess of Salisbury, and of his brother, Lord Montague, with others of his friends.

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To govern without parliament had been Wolsey's aim. Once only, pressed by financial need, he had called a parliament, and with that parliament he had quarrelled. To govern with a packed parliament seems to have been the policy of his successor. The king in his conflict with the pope and with the body of European sentiment on the side of the pope, required the apparent support of the nation, which a packed parliament could ostensibly afford.

Cromwell now offered his master, whom extravagance kept needy, a flood of wealth to be drawn from the confiscation of monastic estates. The end of monasticism in England had come. Asceticism, a false aspiration, though useful in its day as a protest against barbarian sensuality, had by this time decisively failed. It had degenerated into torpor, or something worse than torpor, with a prayer-mill. Rules had been relaxed. In the lesser monasteries especially corruption had frequently

set in. Monastic life having become a life of drones, the lazy were sure to take to it, and laziness was pretty sure to breed vice. Monasteries in parts of the country where there were no inns were still useful as hospices. They fed the poor at their gates, fostering mendicancy, however, by their almsgiving. As havens of learning and places of education they had been largely superseded by universities, grammar schools, and libraries. Printing had put an end to the use of their writing-rooms for copying books. Instead of being in a narrow way pioneers of intellectual progress they had become a bar to it. Of all that was reactionary and obscurantist in the church they were the strongholds, and some of them subsisted by the grossest impostures of superstition. To parochial religion they were noxious as appropriators of parish tithes. Easy landlords they probably were, but not, as in the early Cistercian days, agricultural improvers. The estates of some of them, it seems, had been mismanaged to the extent of dilapidation. They had, in short, generally become an incubus on the community. Not all were corrupt, or even useless. The brightest exceptions were some of the nunneries, which, as places of education for women, had still a work to do. Already there had been partial dissolutions; for when the crusading spirit passed away the order of the Temple was abolished, alien priories had afterwards been made over to the crown, and Wolsey had dissolved a number of small monasteries to form an endowment for his college at Oxford. Parliaments more than once had cast a covetous eye on the vast estates which, they said, did no service to the commonwealth. Cromwell now, in the name of the king,

1535 sent forth commissioners of inquiry. These commis-

sioners no doubt were tools. They found, what they were sent to find, reasons for a sweeping confiscation. Sometimes their report preceded inquiry. But there is no reason to doubt that they found facts enough for their purpose in the abodes of idleness, dulness, and routine religion. From most of the abbots and priors surrenders were obtained, manifestly against law, since the tenant for life could not alienate or forfeit the property of the corporation. But three of the abbots, refusing to surrender, were falsely attainted of treason and put to death. Cromwell sets down memoranda for disposing of them in his notebook; "Item, The Abbot of Reading to be sent down to be tried and executed at Reading with his complices. Item, The Abbot of Glaston to be tried at Glaston, and also to be executed there with his complices. Item, To see that the evidence be well sorted and the indictments well drawn against the said abbots and their complices. Item, To remember specially the Lady of Sar (Salisbury). Item, What the King will have done with the Lady of Sarum. Item, To send Gendon to the Tower to be racked. Item, To appoint preachers to go throughout this realm to preach the gospel and true word of God." The restoration of pure Christianity by such religious reformers as Henry VIII. and Thomas Cromwell is painted in these words.

We have recently seen a dissolution of the monasteries in Italy. The Italian monks proved content, most of them, to go back to domestic life. To the English monks small pensions were assigned. The houses were unroofed, left to decay, or used as quarries. Their hoary ruins touch us more than their demolition seems to have touched the generation which saw their fall. Treasures



of medieval art, illuminated missals and books, church plate and vestments, the thought of which fills the virtuoso with anguish, were destroyed. Less to be mourned were the shrines of apocryphal saints, the false relics, the winking crucifixes, the wonder-working images, and other stage properties of a fraudulent superstition, English counterparts of the Holy Coat of Trèves, Pilate's Stairs, and the House of Loretto. Thomas Becket was cast out of his sumptuous shrine, the treasures of which went to the king's coffers, while the martyr of church privilege was proclaimed a traitor who had been killed in a brawl. Among the populace this carnival of iconoclasm took the shape of blasphemies and profanation of the Host which were sure to provoke catholic reaction.

The dissolution of the monasteries removing the mitred abbots from the House of Lords, reduced the number of ecclesiastical members from forty-nine to twenty-six, and turned the balance in favour of the lay element, which had been in a minority before.

Of the fund obtained by the dissolution of the monasteries, some was spent in national defences, a small part in the foundation of new bishoprics. Far the greater part became the prey of the king and his minions. The vast estates of noble houses remain monuments of the confiscation, and they bound those houses to the cause of protestantism and a protestant government so long as the conflict lasted. This is the origin, and hence were derived the politics, of the houses of Russell, Cavendish, Seymour, Grey, Dudley, Sidney, Cecil, Herbert, Fitzwilliam, Rich, which replaced the feudal baronage of the middle ages, linked to protestantism and constitutionalism by their possession of the church lands. The effect

was felt as late as the Stuart rising in 1745. Flushed with rapine, the spoilers spared nothing which could be called monastic. Augustinian and Benedictine colleges at Oxford were sequestered. The tithes, which had been appropriated by the monasteries, were not restored to the parishes but embezzled by the spoilers, and as the property of lay impropiators remain a scandal to this hour. That no public use could have been found for the funds it seems difficult to maintain. Education called for endowment; public works of many kinds, such as roads and bridges, were much needed; so were hospitals, for lack of which in time of plague the people died like flies. At any rate, the taxpayer might have been relieved, and government might have been spared recourse to fraud and extortion. The king had scarcely gathered the wealth of the monasteries into his coffers when he resorted to the extortion of benevolences and the debasement of the coin. Rapacity, though gorged with the plunder of the monasteries, was not satisfied; the endowments of the universities, of the chantries, of the guilds, were at last placed in the king's clutches and were for the moment saved by his death. 1545

Rapine was not statesmanship, nor did it walk in statesmanlike ways. The hour of the monasteries had come, but dissolution might have been gradual. It might have respected local circumstance and feeling. In the wild and ill-peopled north monasteries were still useful as hospices, as almshouses, as dispensaries, as record offices, as schools, perhaps in a rough way as centres of civilization. Their faith was still that of the people; their prayers and masses for the dead were still prized. Their destruction and the religious innovations

of the government brought on a dangerous insurrection in the north, called the Pilgrimage of Grace, in the suppression of which the government showed its perfidy as well as its savage recklessness of blood.

If, as is reckoned, the number of monks and nuns turned adrift first and last was not less than eight thousand, and ten times that number of dependents were turned adrift at the same time, great must have been the distress. This, with the disbanding of soldiers hired for the wars with France and the discharge of labourers from farms turned into sheep-walks, may account for the prevalence of vagabondage, the bloody vagrancy laws, and the fearful activity of the gallows.

Henry wished to encourage trade, respecting the interests of which he was not without light. But whatever good he did by relaxation of the usury law or by his bankruptcy law must have been more than countervailed by the debasement of the currency. The shilling in 1551 contained less than one-seventh of the amount of fine silver in the shilling of 1527, while the discoveries of silver in Mexico and Peru by the Spaniards lowered the value of that metal, so that a very great rise in prices must have ensued. The result cannot have failed to be ruinous to industry and trade. That after forced loans, the exactions of enormous fines from the clergy, great forfeitures, and the confiscation of the monastic estates, the king should have been driven to resort to debasement of the coin, shows that his waste in palace-building, gambling, and court pageantry must have been enormous. It can hardly be doubted that his rule was, on the whole, materially as well as morally, a curse to the nation.

Theological history belongs to the theologian. Through



the rest of the reign there runs a wavering conflict in the king's councils between the party of the new men, such as Cromwell and Cranmer, which presses religious change, and that of the old nobles, headed by Norfolk, a veteran of Flodden, which, as much from political as religious motives, clings to the ancient faith; while some, like Bishop Gardiner, are in favour of a national church and independence of Rome, but against doctrinal innovation. The king aimed at trimming the ship. Perhaps his average policy, that of secularization and national independence without much change of doctrine or ritual, coincided with the average tendency of the nation. Into the spoliation of the monasteries he goes with all his heart, as he does also into everything which extends his despotism over the church. Under the influence of Cromwell and Cranmer he for a time appears to lean to protestantism, and gives the reins to innovation, though he shrinks from alliance with the thorough-going protestantism of the Germans. He puts forth trimming manuals and injunctions. He allows the people to read the Bible in English, though he afterwards restricts the permission. Presently, being not so much under the influence of Cromwell, alarmed perhaps by catholic insurrection in the north, and governed by the party of Norfolk and the old nobles, he veers round and makes his parliament pass the act for abolishing diversity of opinion, usually called the Six Articles, re-enacting the cardinal doctrines and rules of Roman catholicism; transubstantiation, communion in one kind, the celibacy of the priesthood, the obligation of vows of chastity, private Masses, and auricular confession. Whoever denied the first article was to be burned as a heretic; breach of any one of the rest entailed, for the first offence, forfeiture of

property, for the second, death. All marriages of priests were declared void; continuance in them was made a felony; so that Archbishop Cranmer, if he kept his wife, would be a felon. It was felony to refuse to go to confession, felony to refuse to receive the sacrament. Latimer and Shaxton, protestant bishops, were driven from their sees. A score of people suffered under this act. The *via media* was kept by sending catholics and protestants together to the stake. To display his learning Henry himself holds a public disputation with Lambert, a poor sectary, in defence of transubstantiation, and failing to convince him, shows his own chivalry by sending his hapless antagonist to Smithfield.

The king's policy was swayed by his matrimonial adventures. Jane Seymour having died after bearing him one son, Cromwell, anxious for a protestant alliance, persuaded  
1540 him to give his hand to Anne of Cleves, assuring him that she was a beauty. She proved to be "a Flemish mare." There was a meeting like that of George IV. with Caroline of Brunswick in after days, and convocation, now reduced to complete subservience, was ordered to declare  
1540 the marriage void on pretences too thin to be dignified with the name of deceit. Cromwell had overreached himself, and he found what it was to play with a tiger. He had also gone beyond the mark in religious change. His enemies, the old nobility and party of reaction, pounced on their advantage. He fell from favour, and for a slave of Henry to fall from favour was death. Steeped in innocent  
1540 blood as well as in robbery, Cromwell died by the knife which he had whetted for the throats of others. To annul the last safeguard of liberty he had obtained from the judges an opinion that an Act of Attainder would hold

good though the accused had not been heard. Under such an Act of Attainder unheard he died, putting up abject prayers for mercy to one who knew not what it meant, and who, when the slave had done his work, slew him as he would have slain a dog. Like a dog Thomas Cromwell deserved to be slain. Even in the height of his power the low-born minister had been treated like a menial, his master "beknaving him once or twice a week, and sometimes knocking him about the pate."

One service the king had done the revolution which none of his waverings or backslidings could cancel. He had authorized an English translation of the Bible and had put it, though grudgingly, into the hands of the people. The Bible was an authority superior to that of the priesthood to which any layman could appeal, and which the priest could not dispute, though, as he well knew, it was subversive of his system and ruinous to his profession. The birthday of protestantism is the day which put the scriptures into the hands of the laity. The Bible in English is the sheet anchor by which the Reformation will henceforth ride out all reactionary storms. 1536

The fifth wife, Catherine Howard, had no doubt been guilty of incontinence. The husband who sent her to the scaffold was not pure. Her history, like all these matrimonial tragedies, reveals the foulness of the court. The sixth wife, Catherine Parr, kept her head upon her shoulders. According to a current story she was near losing it by heresy, but by adroitly playing on the king's vanity she escaped.

Swollen and soured by disease, the king grew more jealous, suspicious, and bloodthirsty as he approached his end. His fear was for the succession of his infant son,



and he was under the influence of the Seymours, his son's uncles, and the new men. Lord Dacre of the South was  
1541 put to death, nominally for the killing of a gamekeeper, not by Dacre himself but by one of his party, in a poaching affray; really to destroy a powerful noble and seize his lands. At last the king's suspicion fell on the Duke of Norfolk and his brilliant son, the soldier and poet Earl  
1547 of Surrey. Both were attainted for treason. Norfolk was saved by the king's death; Surrey was murdered. The chief proof of his treason was his assuming the arms of Edward the Confessor in a wrong quarter of his shield. His sister came forward as a witness against him to prove that he had bade her, probably in jest, gain influence at court by flirting, like Anne Boleyn, with the king. Norfolk also spoke against his son. The outrages on natural affection with which this history abounds are not less hideous than the perfidies and murders.

The will of king Henry VIII. instantly requires and desires Christ's Mother, the blessed Virgin Mary, with all the holy company of heaven continually to pray for him, and provides an altar at which daily masses shall be said for him perpetually while the world shall endure. A protestant or a religious reformer he never was; nor had protestantism or the Reformation anything to do with his crimes.

The upshot of his ecclesiastical policy was a state church, severed from the papacy and from the rest of Christendom, with the king for its pope, legislating for it partly under cover of an enslaved convocation, nominating its episcopate under cover of a *congé d'élire*, acting as supreme judge over all its causes and all its persons, regulating its creed, its ritual, and its discipline. The creed

and ritual as finally regulated by Henry were catholic. But by renouncing the head of the catholic church, by destroying the monasteries, by wrecking shrines and images, by abolishing pilgrimages, by giving the people the Bible though in stinted measure, by stripping the priestly order of its immunities and humbling it to the dust, the flood-gate had been opened through which the tide of protestantism was sure to pour. Thus Henry was a protestant in spite of himself. Still the English Reformation under him was monarchical and political. The papal power, which, in countries where the reformation was made by the people or the aristocracy, was abolished, in England was transferred to the king. In the following years, the king being a minor and the monarchy in abeyance, a revolution of doctrine and worship, truly called the Reformation, will ensue.

## CHAPTER XVII

### EDWARD VI

BORN 1537; SUCCEEDED 1547; DIED 1553

**A**UTHORIZED by a servile parliament, Henry VIII. had presumed to treat the kingdom as his private estate, to dispose of it by will, to put the government into the hands of his executors, and even to invalidate national legislation, as a testator might suspend dealings with the estate, during the minority of his heir. The sixteen executors, however, presently doffed that character, donned the ordinary character of privy councillors, and  
1547 formed a regency, governing with a parliament under its control. Henry had intended to balance, in the composition of his administrative board, the two parties, the conservative and progressive, or, as he called them, the dull and rash, against each other. But the balance was at once upset in favour of the progressive and rash party, which threw itself into the doctrinal revolution. Again, as during the minorities of Henry III., Richard II., Henry VI., and Edward V., the council becomes the government. That character it will retain under the sovereign when he is regnant, till it gives place to the party cabinet. It will extend its authority from the state to the church and will seek to exercise legislative and judicial as well as executive power.

Henry had willed that the executors should all be



equal in authority, but a head was needed by the government, especially in its foreign relations. With little opposition the young king's uncle, the Earl of Hertford, shortly created Duke of Somerset, made himself Protector, under a nominal engagement not to act without consent of his colleagues, which the necessities of administration, concurring with his own ambition, speedily set aside. That Somerset was a good soldier his brilliant victory over the Scotch at Pinkie Cleugh proved, while the war in which that victory was gained showed him to be a bad statesman, since it wrecked the hope of a marriage between the young king and Mary, the heiress of Scotland, and threw Scotland once more into the arms of France. Nor had he the force of character to curb the daring, dark, and restless spirits trained in the rivalries and conspiracies of Henry's court and council. 1547

Edward VI. was a boy of ten, but his marvellous precocity, both of conviction and of intelligence, made him an influence. He had imbibed a passionate love of the reformed religion, and an equally passionate hatred of popery. Had he lived and remained unchanged, the religious revolution would probably have run its full course; his early death, therefore, is one of the critical events of history.

The executors were the true political offspring of the last reign. Their first care was, under pretence of fulfilling Henry's oral bequests, to vote themselves church plunder and higher titles. They not only laid their hands upon the chantries in which Masses were said for souls, the religious funds of trade guilds and everything which retained the odour of a catholic foundation, but upon the estates of the bishoprics and cathedral 1547

chapters, some of which were mercilessly pillaged. The Protector led the rapine and built for himself a palace in the Strand, destroying churches to make room or furnish materials for it. Each of these confiscations bound the new-born aristocracy more closely than ever to the religious revolution.

The religious revolution advanced. It was guided by Archbishop Cranmer, who played the part of a minister of public worship. The primate had by this time pretty well got rid of the remnants of catholicism which long hung about him; above all, of his belief in transubstantiation, the keystone of the catholic faith and system. He had at his side Latimer and Ridley, the first a rough English Luther, full of homely force and valour, though less eminent for discretion; the second like Melancthon, a learned and temperate, yet thoroughly protestant divine. Bishops Gardiner and Bonner, the leaders of the reactionary party, refusing or evading compliance with the policy of the government, presently found themselves in prison, where at the end of the reign both of them were. Wriothesly, a catholic, was removed from the chancellorship. To give protestantism free course, the Act of the Six Articles was repealed. Royal commissions went their rounds to extirpate all relics of popery, such as the images of saints and their effigies in painted windows; to see that the Bible was read, that protestant doctrine was taught, that clergymen preached instead of performing the magic rite of the Mass, that instead of the festivals of the saints in the Roman calendar the Sabbath was observed. The traces of such commissions, in the wreck of sculptures and painted glass, lovers of church art still view with sorrow.

The bishops were made to take out official patents as servants of the crown, holding their places during the king's pleasure, while the forms of episcopal election were abolished, and an end was thus made of any claims to independent power founded on apostolical succession. Hooper, when appointed to a bishopric, refused even to be consecrated in the episcopal vestments, which he deemed rags of popery, and to overcome his scruples strong pressure was required.

Henry VIII. had shrunk from alliance with the German protestants. The new government stretched out its arms to them, treated their churches as in full communion with that of England, brought over two of their divines, 1548  
Bucer and Peter Martyr, to help in the English Reformation, and took the advice of Calvin. Calvin's doctrine, not only respecting the eucharist, but respecting the general relation of man to God, is more thoroughly opposed even than that of Luther to belief in sacerdotal mediation. It became, and for some time remained, the doctrine of the English Reformation. High churchmen still shudder at the name of the Lambeth Articles, drawn up in the next reign but one by an episcopal conclave for 1595  
adoption by the church and embodying Calvinism in its extreme form.

Cranmer meanwhile was engaged in the compilation 1549  
of an English and protestant liturgy. His work was largely a translation of the Roman offices, yet with only so much of the old doctrine and sentiment left as might in some degree temper change to the catholic soul. His singular command of liturgical language enabled him to invest a new ritual at once with a dignity and beauty which gave it a strong hold on the heart of the wor-



shipper and have made it the mainstay of the Anglican church. Its substantial protestantism, while, out of tenderness for the feelings of catholics, it retained traces of catholic ritual, was more marked in a second version than  
1549 in the first. An Act of Uniformity imposed this liturgy  
1551 on the national church. Articles of Religion, thoroughly protestant, so that the Neo-catholicism of our day struggles with their adverse import, were framed as the manifesto of the Anglican Reformation, and were accompanied by a set of homilies, in which, if fasting is retained, it is founded partly on the expediency of encouraging the fish trade. The eucharist became a commemoration. The altar became a communion table. Absolution, instead of an act of the priest, became a declaration of the mercy of God. Worship, instead of sacrifice, became common prayer. The seven sacraments were reduced to two. The cup was given to the laity. The chancel-rail, which had parted the priesthood from the people, was morally removed. The clergy were re-united with the laity by permission to marry. With clerical celibacy departed monastic vows. Purgatory was discarded, and with it prayers for the dead. The mystical Latin gave way, as the language of worship, to the vulgar tongue. The place of the Roman calendar with its saints-days was taken by the Calvinistic Sabbath. Crucifixes, images of saints, pyxes, chalices, holy water, disappeared. Pilgrimages ceased. The whole catholic and medieval system, in short, was swept away, and replaced by the protestant system so far as law could do it. Law could not reach the hearts of the people, masses of whom in the more backward parts of the kingdom, though they might be willing to part with papal supremacy and more than willing to part with the

courts ecclesiastic, clung to the ancient faith, and still more to the ancient forms. The shape of the edifices, too, adapted for Mass, not for common prayer and preaching, continued to protest against the substitution of common prayer and preaching for the Mass. The sudden transition could not fail to involve wide-spread disorder, profanity, and confusion.

All this was done by the government without deference to convocation and, as subsequent events show, against the wishes of the great body of the clergy. Deference was paid to the authority of leading divines, foreign as well as English, but only as to that of experts and by way of supporting acts of government. Convocation henceforth has no independent power. The crown and parliament are now, and with a brief and doubtful interlude will remain, the supreme legislature of the church as well as of the state. What was afterwards called the Erastian principle is practically established as the principle of the English polity. The power of the priest, though not the political influence of the church, receives its death-blow. The church of England becomes in fact a department of the state.

Meanwhile the clergy, having refused to unite with the other estates in parliament, had, on account of their supposed representation in their own assembly, been practically excluded from the House of Commons. The bishops alone, by virtue of their baronies, retained seats in the House of Lords, where since the abolition of the abbacies they had become a weak minority. Thus the clergy, while they lost their power as priests, forfeited part of their privileges as citizens. A shadowy relic of priestly immunity from secular jurisdiction and at the

same time of clerical monopoly of learning, benefit of clergy, lingered with relics of wager of battle and compurgation down to the present century in English law.

To complete the ecclesiastical polity, it was proposed to frame a new code of ecclesiastical law, substituting a rational and protestant discipline for the Roman penitentials, and regulating in the same sense the jurisdiction of the ecclesiastical courts. The project did not take effect, but of the spirit in which it was framed we may judge, since we know that it would have treated marriage no longer as a sacrament, but as dissoluble, and would have provided for divorce.

The Acts against the Lollards were repealed. So far toleration advanced. But heresy was still a crime and Anabaptists were still burned. Their rising in Germany  
1523-5 under Munzer had branded them with anarchy, political  
1550 as well as religious. The fate of Joan Bocher has excited peculiar pity and has cast a deep shadow on the fame of Cranmer, who, however, seems to have been responsible only as a member of council and its adviser in ecclesiastical affairs. Protestantism, the religion of private judgment and an open Bible, knew not yet of  
1553 what spirit it was. Of this the burning of Servetus by Calvin was a hideous proof. But it is not just to compare the execution of Anabaptists or Jesuits, few in number and partly on political grounds, or the death of Servetus, to the fires and torture-houses of the Inquisition. Protestantism has long since abjured persecution and deplored the burning of Servetus. Romanism, in  
1864 its latest utterance, the Encyclical, re-asserts the fundamental principle of persecution, and it has never deplored or renounced the acts of the Inquisition.



Out of the spoils of the church, Christ's Hospital and some grammar schools were founded in the name of the young king. This was not much, but it showed the spirit of the movement. Protestantism has generally forwarded, Roman catholicism, when left to itself, as in Italy and Spain, has generally discouraged popular education. The open Bible, if it was not free thought, was an appeal to reason. A day when the religion of the open Bible would conflict with free thought might come; but it was in the distant future. 1553

By the progressive inhabitants of the towns the Reformation seems to have been generally embraced, or at all events received with submission. The less quick-witted country folk clove to the celibate priesthood, to the magical sacraments, to the mystical Latin of the old liturgy, to the intercession of the saints, to the comfortable anodyne of confession and absolution. So, under the Roman Empire, while the cities became Christian, the country folk clove to the old gods. The dull flame of peasant disaffection, we may be sure, would be fanned by the parish priests, who, apart from the shock to their sentiments, the depression of their order, and the spoliation of their church, would, as Mass-priests, be unsuited to the duties of a pastor, which, under the new system, they were called upon to perform. Among the simple and ignorant peasantry of the west of England there broke out a rebellion like the Pilgrimage of Grace. Exeter, which held out for the government and the Reformation, was besieged and nearly taken by a peasant army. It was with difficulty that the bankrupt and discredited government raised forces to cope with the insurrection. The day was turned at last against the rustic scythes 1549

and pitchforks by the arquebuses of German and Italian mercenaries whom the government was fain to bring into the field, and by whose intervention as foreigners in a struggle between English parties its popularity was not likely to be increased. The victory was signaled by the hanging of priests from parish steeples with mass-books round their necks.

In the east of England, where the people were not so primitive, there was little religious reaction, but the government had there to contend with a dangerous insurrection arising from a different cause. The age was one of economical and industrial as well as of religious revolution. Organization was giving place to competition, as the principle of industrial life. In the cities there seems to have been an exodus from places where industry was shackled by the rules of the old guilds and their oppressive system of apprenticeships to places without guilds or charters, where labour and trade were free. In the country it was the period of the final transition from the old manorial system to the modern and essentially commercial system of land-ownership with hired labour. The landlord was enclosing the common, by pasturing on which peasants had eked out what was probably a poor and laborious existence. The small holdings were being thrown together into large farms, which paid better. Sheep farms especially were profitable, from the great demand for wool and the small amount of labour required. The displacement of the little homestead by the sheep-fold is the great subject of complaint at this time. Latimer bewails the destruction of his father's homestead and its old-fashioned counterparts. Efforts were made to protect the plough by legis-

lation; they were evidently ineffectual, and served only to sing the dirge of the old system with its relations and its reciprocal duties. The decay of husbandry which the legislature deplored might be a change, ultimately, for the better. The loss of population might be only a displacement. The transition might be inevitable. But transitions, though inevitable, are cruel, and there could not fail to arise a bitter antagonism between the evicting landlords and the evicted tenants. The land-owner had not yet assumed, in place of his duties as a feudal lord, his duties as a squire.

“When I consider and weigh in my mind all these commonwealths which nowadays anywhere do flourish, so God help me, I can perceive nothing but a certain conspiracy of rich men procuring their own commodities under the name and title of the commonwealth. They invent and devise all means and crafts, first how to keep safely, without fear of losing, that they have unjustly gathered together, and next how to hire and abuse the work and labour of the poor for as little money as may be. These devices when the rich men have decreed to be kept and observed under colour of the commonalty, that is to say, also of the poor people, then they be made laws.” So wailed More in his Utopian days, with Utopian exaggeration, but probably not without basis of fact. These ideas were working then as they are now and as they were in the days of Wat Tyler. They had assumed a terrible form in the outbreak of communism and anarchism at Munster under John of Leyden.

1533-  
1535

In Norfolk the peasantry rose under Robert Kett, a man of substance, no John of Leyden, but apparently a well-meaning and humane reformer. They made them-

1549



selves masters of Norwich, where they found sympathy, and near which they formed a great camp, with Kett's insurrectionary tribunal, the "oak of justice," in the midst of it. Under the oak of justice they brought offending landlords to trial. They broke down enclosures and killed the deer in the parks of the gentry. Yet they committed no such atrocities as had been committed by the insurgents under Wat Tyler. The government, after a trial of their strength, was sufficiently impressed with it to open negotiations; but mutual mistrust prevailed. The end was a pitched battle in which the discipline and arquebuses of the foreign mercenaries, whom the government again brought into the field, once more prevailed over rustic strategy and arms. Executions followed of course, and Kett, for struggling against economical destiny, swung in chains from the castle tower, while his brother William swung from the steeple of his parish. A rigorous law against riotous assemblages for the purpose of breaking enclosures crowned the victory of the gentry and the government.

Incident to economical transition was the growth of pauperism. That doleful history has begun. The slave or serf in destitution or old age may look to his master for support; the independent labourer must shift for himself, and when first turned loose he might be almost as little capable of self-support as the emancipated slave. The conversion of plough-land into sheep-walk must have cast many farm-hands adrift; so must the dissolution of the monasteries; so must the reduction of the feudal trains; while the debasement of the currency by disorganizing industry and trade would be sure to aggravate the evil. Tramps multiplied and became a pest, often,

no doubt, adding outrage to mendicity. The government swelled their number by disbanding the soldiers whom it had hired for foreign wars. It then tried, under Henry VIII. and again in the present reign, to repress 1547  
vagabondage by savage vagrancy laws, rising in their 1549  
cruelty from flogging and branding to slavery, to working in irons, even to death, while thieves were sent to the gallows twenty in a batch. "They be cast into prison," says More in his "Utopia," "as vagabonds because they go about and work not, whom nobody will set to work, though they never so willingly proffer themselves thereto." The Tudor vagrancy laws hideously depict the attitude of the rich towards the poor in days glorified by some as those of healthier relations and a higher social ideal.

Honest destitution was, at the same time, not unrecognized. An attempt was at first made to relieve it by means of a system of voluntary contributions in each parish. But voluntary contribution, however enjoined by the government and preached by the clergy, was an ineffectual substitute for a regular poor law.

The Protector favoured the cause of the poor. He is interesting as the first English statesman who took that line. He went so far as to put forth a manifesto rebuking the gentry for their covetous encroachments on the peasants' rights and recalling them to their social duty. "To plant brotherly love among us, to increase love and godly charity among us, and make us know and remember that we all, poor and rich, noble and ignoble, gentlemen and husbandmen, and all other of whatsoever estate they be, be members of one body mystical of our Saviour Christ and of the body of the realm," — such was

the social policy of the Protector, as set forth in his commission of reform. Whether his motive was genuine sympathy with the peasantry, personal ambition, or a mixture of the two, we cannot say. Sir William Paget, the shrewdest statesman of the day, in a letter to him complains that the king's subjects were "out of all discipline, out of obedience, caring neither for Protector nor king, and much less for any other mean officer." "And what is the cause? Your own lenity, your softness, your opinion to be good to the poor; the opinion of such as saith to your Grace, 'Oh! Sir, there was never man had the hearts of the poor as you have. Oh! the commons pray for you sir, they say "God save your life."' I know your gentle heart right well, and that your meaning is good and godly, however some evil men list to prate here that you have some greater enterprise in your head that lean so much to the multitude." It is certain that Somerset's head had been somewhat turned by his elevation. He had addressed the king of France as "my brother." Paget complains that he is testy and will not listen to advice. In vain Paget, like one bred in the school of strong government, conjured him to call out his Almans and take the work of repression into his own hands, assuring him that by doing so he would lose no popularity that was worth keeping. Somerset stood irresolute, only showing his sympathy with the commons enough to incur the hatred of the aristocracy and set them conspiring for his destruction.

The council had apparently been from the outset little better than a knot of viperine ambitions. The first to conspire against the Protector was his brother Seymour, high admiral of England. Seymour's aim, apparently,



was to make the princess Elizabeth his wife and perhaps to place himself beside her on the throne. This mad scheme certainly led him into treasonable practices, and his execution reflects no discredit on the Protector, who showed natural feeling on the occasion. The next conspiracy was more formidable. It was headed by Dudley, Duke of Northumberland, son of Dudley the fiscal myrmidon of Henry VII., and heir of his father's character, who also had designs upon the crown. The Protector's display of sympathy with the commons, and the offence given to the aristocracy by his democratic manifesto, combined with the general disorders of government, afforded Northumberland an opening. A cabal was formed in the council, before which the Protector fell. He rose again with dimmed splendour and diminished authority. But Northumberland persevered. Somerset was again arrested on charges, transparently fictitious, of treason and felony. In order probably to give murder a colour of justice, he was acquitted by the peers who tried him on the charge of treason, but found guilty of the felony. By the people, whose idol he still was, his acquittal, which, seeing the axes turned from him as he left the court, they supposed to extend to all the charges, was hailed with a burst of joy. The young king in his diary makes a dry entry, which is taken as a proof of his want of feeling. He was probably deceived as to the facts, and, even if he knew the truth, his pen may not have been free.

Something was gained during the reign by constitutional liberty. The treason law of Henry, which had been enlarged by a servile parliament into an unlimited warrant for the destruction of the king's enemies, was

1547 swept away, and the law of Edward III. was restored.

1552 Other new-fangled treasons were afterwards added; but instead of conviction or attainder without evidence in cases of treason, it became law that two witnesses should be required and that they should be confronted with the accused. This Act ended a legal reign of terror. The statute which gave royal proclamations the force of law, and that which empowered a king on coming of age to cancel laws made during his minority, were also repealed, and the legislative authority of parliament was thus, in principle at least, restored. Nor were there during this reign any benevolences or forced loans. On the other hand, there was repeated and scandalous robbery of the subject by the continued debasement of the currency, of which Henry VIII. had set the example. The flight of sound money, the derangement of prices and wages, and the sufferings consequent on the demoralization of industry and commerce, were the inevitable results of this fraud, while scandalous gains were made by members of the government who got the mint into their hands. A standing army of foreign mercenaries was introduced, and the gendarmerie, as it was called, in London amounted to nine hundred men.

## CHAPTER XVIII

### MARY

BORN 1516; SUCCEEDED 1553; DIED 1558

**I**F any statesman, or historian emulating statesmen, thinks that good will come of doing a moderate amount of evil, let him consider what all the fraud, lying, hypocrisy, and murders of the government of Henry VIII. did towards settling the succession to the English crown. The only son, born after all that labour of infamy, was dead. Both his sisters had been bastardized, and upon their demise the question was open between claimants by descent and claimants under the will of Henry VIII., whose title, created by the Act of a single parliament, conflicted with the established custom of the realm. As to the Reformation, which, as well as the succession, is supposed to have needed the service of iniquity, it was now about to fall into the hands of the daughter of the divorced wife, exasperated against it by her mother's wrongs and by her own.

The headship of the nation, once elective, had been so far converted into the heritable property of a family as to admit what John Knox still denounced as the monstrous regiment of women.

The death of Somerset had deprived the protestant party of the one man who, with all his faults and errors, had gained something like a national leadership, and



might have controlled the situation. To save the religious revolution there was but one way, to set aside Mary, send her back to her cousin the Emperor, and resettle the succession by Act of parliament on a protestant heir. This, though hardly possible in face of the general belief that Mary was the lawful heiress, and of the discredit into which the protestant government had fallen, might conceivably have been done. There could be only one end to the attempt to make the dying king exercise a power, which no one believed him to possess, in favour of Lady Jane Grey, or rather of her father-in-law, Northumberland, under her name. Jane, granddaughter of Mary sister of Henry VIII., was postponed by his will, sanctioned by parliament, to his daughters Mary and Elizabeth. Cranmer, by complying with the plot, once more showed his weakness. Northumberland's usurpation failed, as it was sure to fail, and brought the assassin of Somerset to his merited doom, while his wretched recantation of protestantism under the terrors of death showed what sort of leader the cause had, and what sort of ruler the realm would have had in him. Not only was there a national feeling in favour of the rightful heir, which Northumberland's government by persecuting Mary had enhanced, but there was a general reaction against the revolutionary violence in matters of religion which had marked the reign of Northumberland as well as that of Somerset. Tired of iconoclasm, which was often attended with profanity and disorder, most of the people were not unwilling to be led back to the ancient paths. "Bloody Mary" was a good woman spoiled by circumstance and religious superstition. Apart from her Spanish blood and her own tendencies, how could the daughter

of the injured Catherine of Aragon have been anything but a bitter enemy of the Reformation? She was not cruel by nature. She had at first spared Lady Jane Grey and Guildford Dudley. She would have shed very little blood upon the scaffold had not the rebellion of Carew and Wyatt shaken her throne and driven her, according to the notions of policy which then prevailed, to measures of severity. Her religious persecutions did not spring from thirst of blood, but from her passionate desire to bring back her subjects to the only religion which could save their souls, and the belief, which she shared with the most enlightened men of her time, that it was right, and her bounden duty, to use her power for that purpose. Untrue to us, her religion was true to her, and she must be judged by a standard which in those days superstition had falsified alike for all. Nor does she seem to have been naturally despotic. She wished to act with parliament, and rejected with indignation the suggestion that on the quibbling pretext that statutes applied only to kings, not to queens, she should set herself above the law. Her reign opened in a popular way with the remission of taxes and the abrogation of new-fangled treasons, the latter, no doubt, mainly in the interest of catholics, and notably of the exiled Cardinal Pole. Hatred, which in the end she too well deserved, has made of her an ogress. The truth seems to be that she was well educated, amiable in her manners, and, though meagre, not unlovely, until she was made haggard by disease and grief. Amidst the severe trials which she had undergone from the ire of her despotic father, the spite of his second wife, and the vexatious attempts of her brother's government to force her into conformity

1554

1553

with the royal religion, she had borne herself well. She had on her side the hearts of the great majority of the people, as well as the relic of the old nobility, which had remained hostile to revolution. Protestant government had not shone under Somerset, much less under Northumberland. Politicians like the extremely able Paget, who believed little in religion of any kind, and cared less for any form of it, would think only of a peaceful succession and a stable government; and of these Mary's name was the pledge.

1553 There followed a counter-revolution in religion. The parliament through which it was effected was no doubt packed for the crown. Still, the ease with which catholicism was restored throughout the country seems to show that protestantism had gained no strong hold upon the mass of the people. It was probably almost confined to the towns. To the clergy generally the return from protestantism to catholicism was no doubt welcome. Protestant bishops were ejected from their sees; catholic bishops were reinstated. Gardiner and Bonner came out of prison in triumph to put themselves at the head of the reaction. Foreign protestants were expelled. The body of Peter Martyr's wife, who had been buried in the cathedral at Oxford, was dug up and cast upon a dunghill. Of the English reformers many fled to the city of Calvin. Cranmer stayed at Lambeth meekly awaiting his fate, which came to him in the shape of attainder for treason in attempting to give the crown to Jane Grey. The Mass and the whole catholic system of worship, doctrine, and discipline were restored. Catholic visitations undid, as far as they could, what protestant commissions had done; the ravages made in



images, painted windows, and shrines by the hammer of protestantism they could not restore. Married bishops and clergy were summarily expelled. The ecclesiastical legislation of the last reign was bodily swept away. The statute for the burning of heretics was re-enacted. 1554  
The impious title of supreme head of the church was renounced by the queen. The supremacy of the pope was again recognized, and the gate of the realm opened to his missives. In defiance of the statute of *Præmunire*, Cardinal Pole was received as the pope's legate. 1554  
He came in triumphant ecstasy to reconcile England to Rome. This he did at a solemn assembly of parliament, and having done it he pronounced the papal absolution. So far reaction swept the field. But the Reformation, though it had not been national as a doctrinal movement, had been national as a revolt against clerical tyranny and against the intrusive despotism of a foreign power. Foreign to England, and in a measure to all nations but Italy, the papacy has been. To the Teutonic nations it was more foreign than to the Latin. On this line something of a stand was made by Paget and other politicians, who, though they might not object to transubstantiation, did object to priestly or papal rule. Even Gardiner, though the leader of the doctrinal reaction, was in his way patriotic, and did not wish to see England under the feet of Rome. He had not only acknowledged the royal supremacy under Henry VIII., but had written in vindication of it. On another point the pope and his representative encountered a resistance which was not to be overcome. The new proprietary absolutely refused to part with the church lands, and made its secure retention of them

an indispensable condition of its assent to the catholic restoration. It thus in effect sold the national religion for a quiet title to its own acres. Quieted formally and by law, ecclesiastical as well as civil, the title now was; yet, so long as catholic sentiment prevailed, it was clouded by sacrilege, and a bond thus remained between the owners of the church lands and the protestant cause.

Monasticism, the mainstay of the religious reaction, had received its death-blow in the dispersion of its votaries, the confiscation of its estates, the demolition of its dwellings. Little was done towards its restoration when three monasteries were refounded by the queen.

Whatever reactionary laws or governments might do, the English Bible remained, and while the English Bible remained all efforts to stamp out protestantism were vain. In one other all-important respect the work of Henry VIII. and his executors continued in force. This counter-revolution was, like the revolution, practically brought about by the secular power. It followed upon a demise of the crown. The state retained its virtual supremacy over the church.

That application of the hereditary principle which places a woman at the head of the state exposes the state to the chances of her marriage. Bishop Gardiner would have had the queen marry an Englishman. Her marriage  
1554 with Philip of Spain lost her the heart of the nation. It aroused a jealousy, which neither Spanish diplomacy nor Spanish gold could appease, and which the character of Philip, a type of the bigotry and haughtiness of his race, was not likely to allay. The wording of the marriage treaty, securing the independence of England, was strict; but, as a bold member of the House of Commons said, if

the agreement was broken, who was to sue upon the bond? The immediate consequence was Wyatt's rebellion, and though this was repressed, and the queen gained by her courageous bearing on that occasion, she was henceforth, as the bride of Spain, fatally estranged from her own people. 1554

Now, as afterwards in the reign of James II., all depended on the birth of an heir. The passionate yearnings and prayers of Mary for offspring, her distracted hopes, and their tragic disappointment will hardly seem fit subjects for mockery to a generous heart. It is something of a tribute to her honesty that there seems to have been no fear of a warming-pan, such as there was in the case of James II. Chagrin caused by her barrenness, by the coldness and absence of her husband, and by the national hatred which she must have felt to be gathering round her, appear to have combined with disease in giving her character a turn for the worse. At all events, she devoted herself with her whole soul to the extirpation of heresy and the restoration of her realm to the true faith. The means which she used, hideous as they were, were prescribed to her by law and sanctioned by the almost universal sentiment of the time. Cranmer had been a party to the burning of Anabaptists, and Latimer had preached a sermon when the catholic Father Forest was put to a death of torture by swinging him in an iron cradle over the flames. We may well allow that Mary believed herself to be doing God's work, and a work not of cruelty but of mercy. It is the easier for us to admit her plea since her policy was fatal to her cause. It brought her into mortal conflict not with the law or with theory, but with humanity in the hearts of the people. 1538



In the Marian persecution there were burned, according to the received authority, five bishops, twenty-one divines, eight gentlemen, eighty-four artificers, a hundred husbandmen, servants, and labourers, twenty-six wives, twenty widows, nine unmarried women, and four children. In this roll of martyrs the gentry are poorly represented, the aristocracy not at all. Probably not a single holder of abbey lands died for the cause to which he owed them. It was hard for a rich man to enter by fire into the kingdom of heaven. Cranmer's weakness, as has been acutely remarked, excited public pity probably even more than the unshaken courage of Hooper, Latimer, and Ridley. It showed how terrible was the trial. Near the spot where Cranmer, Latimer, and Ridley suffered, triumphant protestantism raised in our century a monument to their memory which revived catholicism compared to the pile of stones heaped upon Achan.

By Gardiner, an ecclesiastical martinet, the signal for persecution seems to have been given; but its cruelty was ascribed by popular opinion, which is not likely to have been wrong, to Bonner, noted for his brutality, whose diocese furnished the largest number of victims. On parliament rests the responsibility of reviving the heretic-burning laws. The queen herself undoubtedly urged on the holy work of extirpating heresy; probably she was the chief mover; but her council must share with her the blame. The Spaniards had little to do with the religious atrocities, though they were true to their character in pressing measures of political ferocity, such as the execution of Jane Grey, and would, probably, if they could, have had Elizabeth put to death. Charles V. was not fanatical, nor were statesmen bred in his school. Their

hatred of heresy was political, and they were wise enough to see that the Spanish marriage and the stake at the same time were too much. A Spanish friar was put up to disconnect them and Philip from the persecution by preaching against it. A literary worshipper of Henry VIII. has cast the blame on Pole. Stung to the heart by Henry's conduct in rending the seamless garment of Christ and shedding the blood of Fisher and More, Pole had written with violence and had acted with indiscretion. He seems to have been a man of sensibility and impulse, but he was no bigot. For a catholic and a cardinal he was liberal, a friend to reconciliation and comprehension, a believer in the Lutheran doctrine of justification by faith, an opponent of the Jesuits. The suspicion of Lutheranism still clove to him, and he was mistrusted and his legateship was at last cancelled by the fanatic Paul IV. He publicly told the clergy that the best way of reclaiming the people was not by measures of severity, but by reforming their own lives. On one occasion he let go with a mere submission twenty-two heretics whose case had been laid before him by Bonner. He believed that the burnings were lawful, and he might at last be led to show zeal in the execution of the law by a sense of his own position as a suspected liberal and the object of mistrust at Rome. It has been insinuated that he had Cranmer burned in order that he might take possession of the archbishopric. Cranmer, having been attainted of treason by the state and degraded by the church, was civilly and ecclesiastically dead, and could no longer stand in Pole's way. The burnings were confined to the south and east of England. Tunstall, Bishop of Durham, to his lasting honour, refused to take any part in them. It is

true that the north was still mainly catholic, and that in Tunstall's diocese not many victims would have been found. The martyrdoms purged protestantism in the national mind of the stain which it had contracted under the misgovernment of Edward VI.

The epithet which has clung to Mary's name, if not in its obvious sense deserved by her, is a sign of that hatred of bloodshed which is a happy part of the character of the English people. Her misfortunes, as she would think, her sins, as her people thought, were crowned by the loss of  
1558 Calais, the name of which she was patriotic enough to say would be found engraved upon her heart when she was dead. The loss which forever closed to English ambition the gate of conquest in France was a great gain in disguise.



## CHAPTER XIX

### ELIZABETH

BORN 1533; SUCCEEDED 1558; DIED 1603

AFTER Mary, her Spanish husband, and her persecutions, the accession of Elizabeth came like sunrise after the murkiest night. The peril to which she had been exposed, especially after Wyatt's rebellion, when the Spaniards sought her blood, had more than ever endeared her to the nation. Her youth, her good looks, her high spirit and princely carriage, with her mental accomplishments, which were remarkable, awakened an enthusiasm of which she had the tact to make the most.

A writer, who, before he had studied the history of Elizabeth, spoke of her as "the great nature which, in its maturity, would remould the world," having studied her history, can only speak of her as a little figure at the head of a great age, and has to admit that her policy everywhere was "partial, feeble, and fretful," that "wherever her hand is visible there is always vacillation, infirmity of purpose, and general dishonesty," while where her subjects act for themselves the opposite qualities appear. False and perfidious she was, heartless and selfish, capable at times of hateful cruelty, possessed with a vanity such as could hardly dwell in the same breast with greatness, to say nothing of her indelicacy and at least one darker stain, for if she was not criminally cog-

nizant of the murder of Amy Robsart, she certainly prompted to the assassination of Mary queen of Scots. Yet Elizabeth, in spite of all revelations and dissections, keeps the title of the Great Queen. Writers again bestow it upon her after recounting the proofs of her littleness. They say, with scant justice to her sex, that, after all, she had only the faults of a woman. She had the sense to keep good counsellors, though she preferred to them unworthy favourites and sometimes treated them with base ingratitude. She had remarkable arts of popularity when she chose to exert them. She had a queenly bearing tempered with condescension. She had personal courage which was needed in an era of assassination. She knew how to identify herself with the nation. Her sex in a chivalrous age made her the object of a devotion which was enhanced by her danger. The nation in its mortal conflict with catholic enemies felt itself impersonated in its queen. Something also her reputation gained from the contrast of her reign with the political troubles which followed, albeit of those troubles her self-will was in part the cause. The illusion was strong. It was strong enough in her lifetime to make men fancy themselves, or at least say that they fancied themselves, in love with a virago who spat, swore, and cuffed; and this when she was past middle age and the last traces of her youthful comeliness had fled. But those who still call her great, if they do more than pay tribute to custom, have before their mind's eye, not the figure of the queen in the grotesque trappings of her vanity; but the figures of Burghley and Walsingham, of Sir Philip Sidney and Sir Walter Raleigh, of Shakespeare and Spenser, of Drake and Frobisher, of the heroic mariners

of England returning from the attack on Cadiz or the victory over the Armada.

A young queen was fortunate in having already at her side so wise a counsellor as Cecil, presently made Lord Burghley. To Cecil were then, or afterwards, added Sir Nicholas Bacon, lord keeper, and Walsingham, with other ministers and diplomatists of the same school, such as Knollys, Randolph, and Davison. To say that these men opened the line of English statesmen would be too much; Morton, Fox, and Wolsey fully deserved the name; yet as a group there had been nothing like them, and they were wholly devoted to the country, while their ecclesiastical predecessors had steered the vessel of state with one eye fixed on Rome. The offspring of revolution, trained amid intrigue and conspiracy, they had learned to read men and to walk with a sure foot in slippery paths. They had seen and accepted too many changes of religion to be enthusiasts on either side, or allow bigotry to cross their policy. To them protestantism was the religion of England, catholicism was the religion of her foes. Burghley was at the head of the government, and perhaps he was not the less qualified for that post if he was rather sagacious, firm, and wary than a man of commanding genius. But the pilot who weathered the storm was Walsingham, a man supremely able, absolutely devoted to the public service, and ready to sacrifice to it not only all interests and lives that stood in its way, but almost his own soul. He was, in fact, an austere and puritan Machiavel. He did not scruple to adopt the enemy's weapons, and he was the artificer and operator of the espionage which penetrated and baffled the counsels of the Jesuits and the Guises.



The labour of these men must have been great. We hear of them as sitting in council from eight in the morning till the dinner hour, and then till supper time. Their correspondence was very heavy. On the other hand, they had no demands of the platform to meet, and comparatively little trouble with parliament or the press. Their councils were deliberative in a different sense from those of a parliamentary debating club speaking to reporters. Such of them as were not favourites were ill paid. Walsingham left not enough to pay for his burial. Burghley had private wealth.

First came another counter-revolution, which proved a final settlement, at least for two generations, in religion. Had Elizabeth been born a catholic, a catholic she would have remained. A ritualist she was. In her chapel, to the scandal of hearty protestants, stood the crucifix with the lighted tapers before it. She disliked married clergy, and treated their wives with the insolence which always lay beneath her gracious airs. She announced her accession to the pope, and although this might be a politic compliment paid by her advisers to catholic opinion, it was probably in full accordance with her own leanings. Apart from her ritualistic tastes, the natural sympathies of a sovereign, and a sovereign full of her sacred right, could not fail to be, like those of sovereigns generally, with the religion most congenial to authority. But the daughter of Anne Boleyn had been born under the ban of the papacy. Bastard as she was in the eyes of Rome, her only title to the crown was anti-papal, while there was a claimant at once papal and legitimate in the person of Mary queen of Scots. Elizabeth's part was decisively cast for her when the Vatican not only

repelled her overtures, but in course of time deposed her 1570  
and absolved her subjects from their allegiance. Whether  
she would or not, the queen of England became the head  
of the protestant cause in Europe.

Once more the authority of the pope was renounced  
and his power was retransferred to the crown, though  
the queen did not, like Henry VIII., assume the title of  
the head of the church, but was content with the declara- 1559  
tion that she was over all persons and in all causes, as  
well ecclesiastical as civil, supreme. Once more the Mass  
was abolished and prohibited. Once more the whole  
sacerdotal system, of which the Mass was the centre, with  
monasticism, purgatory, saint-worship, was swept away.  
Once more the protestant pastorate took the place of  
the Roman priesthood. The protestant Articles of Ed- 1563  
ward VI. were repromulgated, with slight variation, as  
the standard of faith. The English Prayer Book of  
Edward VI. again supplanted the Roman ritual, with 1559  
the wise omission of anti-papal passages specially offen-  
sive to the catholic ear. Clergymen were again prac-  
tically licensed to marry. Auricular confession, if it was  
not abolished, was discontinued. To Rome and her  
liegemen, at all events, it was made clear that England  
was once more protestant.

Of the protestant character of the Articles there can  
be no doubt, and it is to them surely, as an original mani-  
festo, not to the liturgy, where the object of the compiler  
was to retain as much as possible of the customary and  
familiar, that we must look for the doctrine of the church.  
In the liturgy, however, there remained enough, if not  
of catholicism, of ritualism, to give it the air of a  
compromise at the time and make it a store of argu-

ments, or pretexts, for the revival of catholicism in the Anglican establishment at a later day. The name "priest" was retained, and its former associations lingered with it. The catholic vestiary was not wholly discarded. While the confessional was swept away, something like the practice of auricular confession, in which the catholic soul had found comfort, was retained, at least in a permissive shape. But it is in the form of administering the eucharist that the spirit of compromise most plainly appears. There we have two pairs of sentences, the first sentence in each of which embodies, not indeed the doctrine of transubstantiation, yet the sacrificial view, while the merely commemorative view is embodied in the second. Kneeling at the eucharist was retained.

To the shrewd and worldly statesmen of Elizabeth such a compromise, no doubt, seemed profoundly wise. They thought, not without apparent reason, that, something being left of the old forms of worship, some quarter even being given, in the liturgy, if not in the Articles, to the old creed, the parish church, with its chimes, font, and graveyard, the immemorial centre of social as well as religious life, would retain its charm for the mass of the people, and the upshot would be general acquiescence in the national religion. But the sequel showed that the domain of compromise is interest, not belief. Neither catholic nor thoroughly protestant, the establishment was cut off from both sources of religious zeal. When in after times sap returned to the tree, it was either from the catholic source, as in the era of Laud and afterwards of the Oxford movement, or from a protestant source, as in the case of the Puritans or of the evangelical party, Methodists within the pale; and with the disturbance



consequent on irruption from without. The attractions of a religious kind which the establishment had were antiquity, dignity, gentility, tradition, a degree of ceremonial suited to Anglo-Saxon taste, and the social influences of the parish church. Great Anglican writers were coming to give these attractions their full force.

The policy of religious compromise, however, might have been more successful had not catholic non-conformity been sustained, hallowed, and inflamed by Rome and the emissaries of Rome. For catholicism, on the verge of destruction, had rallied round its centre, had in some measure reformed itself, had renewed its force, and entered on the second, the Ultramontane, era of its existence. Jesuitism had come to its aid, and the Jesuit, gliding over Europe, was warring against protestantism with intrigue and sometimes with worse weapons. Royal despotism, especially in Spain, felt that its cause was bound up with that of the despotism of the priest, and lent itself with all its power to the ecclesiastical reaction.

Instead of the direct appointment of bishops by the crown and during its pleasure, which was the extreme policy of the revolution, the form of election by the chapter was restored, though with the *cong e d' lire* which practically vested the appointment in the sovereign, for whose nominee the electors were forced to vote under penalty of the dread Pr emunire, while the crown's power of dismissal at will was allowed to fall. This made room, as at a later day appeared, for the revival of apostolical succession and of all that hangs thereby.

“The full power, authority, jurisdiction, and supremacy in church causes, which heretofore the popes usurped and took to themselves, is united and annexed to the imperial

crown of this realm." This transfer of ecclesiastical supremacy from the pope to the king was and remained the distinguishing feature of the Anglican Reformation. Its symbol in the churches was the substitution of the royal arms for the rood. Severance from the centre of the catholic faith drew after it doctrinal innovation.

1583 The papal jurisdiction thus transferred to her Elizabeth took power to exercise through a high commission for the regulation of the church, the censorship of public morals, and the correction of the clergy. Thus the Court of High Commission enters on its ill-starred career.

Communion with the protestant churches of the continent was ostensibly maintained and their orders were now and long after this accepted as valid. But the intimacy of the connection ceased; the opinion of the protestant divines of Germany and Geneva was no longer sought, nor were they welcomed to England. Episcopacy combined with royal supremacy proved to be practically a dividing line.

1559 This revolution was made by the government with a parliament which did the government's bidding. Convocation feebly protested; but its protest was disregarded and served only to show that the conscience of the clergy was coerced. By the Act of Supremacy, vesting supreme power in the crown, combined with the Act of Uniformity regulating the national religion by authority of parliament, the church of England was finally stamped as a state establishment, with the head of the nation as its head, and for its real legislature the national assembly. To use again a phrase of later coinage, the settlement was Erastian, presenting a contrast alike

to the papal theocracy and to the ministerial or democratic theocracy of Geneva or Scotland. Nor was the clerical convocation destined ever to recover its power. Episcopacy was the form of church government congenial to monarchy, and was retained where the Reformation was monarchical, as in England and Sweden, while it disappeared where the Reformation was democratic or aristocratic, as in Germany, Scotland, or Holland. In its retention, and in the claim of the bishops to apostolical succession with the sole power of ordination lurked the only remnant of ecclesiastical independence.

While the Anglican church was thus made a function of the state, the commonwealth was narrowed to the pale of the Anglican church, those who refused to take the oath of supremacy and conform to the established mode of worship, whether catholics or non-conforming protestants, being excluded from the House of Commons and from all political power. It was of little moment that the few catholic peers were retained, in deference to the aristocracy, in the House of Lords. Here we have the origin of the long struggle for catholic emancipation and the abolition of religious tests which has ended in the entire, or almost entire, secularization of the commonwealth, while the church still remains in bondage to the state.

Of the inferior clergy almost all conformed. Of the bishops who had been deeply committed by the persecution under Mary, and could not for shame turn their coats, fifteen resigned, while only one, Kitchin, Bishop of Llandaff, conformed. Most of the deans and heads of colleges also resigned. It was necessary in effect to create a new episcopate, and the number of bishops held requisite for consecration was barely made up out of the



survivors of the ejected episcopate of Edward, itself not so indisputably consecrated as to escape the malicious criticisms of an enemy naturally tempted to assail this weak link in the Anglican succession. The story of the consecration at the Nag's Head without the requisite forms is an exploded fiction. Yet it must be owned, if apostolical succession is essential to spiritual life, that the spiritual life of the English church and nation here hung by a slender thread. Parker, the primate, was a fair type of compromise, being a student of the Fathers, and having about him so much of the high churchman that a society dedicated to the diffusion of high church learning has been enrolled under his name.

There was at the time little resistance to the change. The protestant martyrs had not suffered in vain. The testimony of their blood had sunk deeper than argument into the hearts of the people, while the church by which they were murdered had made herself hated in proportion. The impression was the stronger because most of the sufferers came from lowly homes. Spanish connection had wounded patriotism. The character of Bonner had tainted his cause. But the rude north was still mainly catholic. So were the leaders of the old nobility; not only the northern lords, the Earls of Northumberland and Westmoreland, but the chief of all, the Duke of Norfolk, who could say that on his bowling-green at Norwich he felt himself the peer of any prince in Christendom. In these quarters conspiracy, and in the north formidable rebellion, arose. Religious disaffection, opening the doors to catholic intrigue from abroad, was a danger with which statesmen had always to contend. In the districts of the south and east, which

were best peopled, and where wealth mainly lay, protestantism, or at least conformity, prevailed.

It is not unlikely that some active and inquiring minds, stirred not satisfied by the controversy, had shot beyond the bounds of protestantism, even the most thoroughgoing, and anticipated the speculations of later times. Giordano Bruno found congenial company in England. Freethinking probably had its seat among Bohemians like the dramatists Marlowe and Greene. Something like it subtly pervades Shakespeare. But as yet it had no force.

Severe, nay cruel, laws were at once passed against 1559  
the recognition of papal supremacy and for the enforcement of conformity to the state religion. But during the first twelve years of Elizabeth's reign there were no catholic martyrs, though the heresy law was still put in force against Anabaptists, the Anarchists of that day. When the mortal conflict between catholicism and protestantism was raging, when Alva and Parma were at their work of extermination in the Netherlands, when the 1576  
Guises and the League were at the same work in France, when the massacre of St. Bartholomew had been perpetrated and had been glorified by the pope, when the 1572  
pope, after long hoping and being somewhat encouraged to hope, that Elizabeth would repent and bring her kingdom back to the church, had at length, despairing of her conversion, deposed her and absolved her subjects from allegiance, when at last, responding to his 1570  
call, a great catholic power took arms against her, when the Armada was being fitted out in the ports of Spain, when the Jesuit was creeping about England on his dark mission, when among his disciples plots were being

formed against the queen's life, when conspiracy was  
1569 rife among the catholic nobility and the catholic north  
1581 was in rebellion, the laws against the Mass were put in  
sq. execution, and catholicism had its martyrs. It was now  
a question, not of religious orthodoxy or conformity, but  
of the life of the nation. There were no burnings of  
the catholics for heresy, there was no Inquisition, no  
racking of the religious conscience. Mass-priests suffered,  
not merely as dissenters, but as enemies of the state.  
The pope had done his best to stamp upon them as his  
liegemen that character when he deposed the queen. Nor  
was their case altered when he announced that his Bull  
might be taken to be suspended until execution of it  
could be had.

This policy nevertheless was wrong. Men convicted of  
treason, whether in the interest of the pope or in any  
other interest, deserved to pay the penalty, and when  
the nation was in mortal peril could hardly look for  
mercy. The Jesuit, as a member of an order of conspiracy,  
and an apostle not only of rebellion but of assassination,  
might, whenever he was caught within the protestant  
lines, have been lawfully treated as a public enemy.  
Even against him the use of the rack was detestable,  
little as it might beseem a familiar of the Inquisition  
to protest. Walsingham said that knowledge could not  
be bought too dear; it was bought too dear when it was  
bought at the expense of humanity. But for the catholics  
in general, so long as they did nothing disloyal, took  
part in no plots, published no Bulls of deposition,  
harboured no Jesuits, entered into no correspondence  
with the enemy, and answered the call to arms in defence  
of the nation, the treatment prescribed by wisdom



as well as justice was that of toleration. That policy succeeded in Holland, though perhaps it was easier in a rebel republic than it would have been under royal supremacy. The best defence of the nation was unity, which in this case only toleration could produce. For the conduct of the government nothing can be pleaded but the agony of peril and the fallacy of the age. It received a noble rebuke when catholics obeyed the call to arms in defence of the country against the Armada.

Not less urgent in their way than the religious question were the financial and economical difficulties with which the statesmen of Elizabeth had to deal. They found the government bankrupt, public faith impaired, the currency in a deplorable state of debasement, trade in consequence demoralized, the problems of pauperism and vagrancy unsolved. They restored the finances. By a daring measure they effected a reform of the currency, which was justly accounted one of the glories of the reign, and which came seasonably to meet the great influx of silver from Spanish America. By thus giving assurance of a return to honest government they breathed new life into commerce, which they continued to foster by such means as with the lights of those times they could. The question of pauperism they settled, after one more fruitless trial of severity, by a Poor Law, which remained in force far into the present century, establishing in place of voluntary contribution a legal right to parochial relief. The country gentleman or squire, landlord and justice of the peace, whose figure we now discern, his tenant farmers on their homesteads, and the farm labourer in his cottage with right to parochial relief, together form the new manorial sys-

tem which replaces the feudal manor. Not only the castle but the castellated mansion has departed, and its place is taken by the peaceful beauty of the Elizabethan manor house or hall. It is true, perfect tranquillity and order did not come at once. There was still a good deal of marauding, at least there was a good deal of hanging. Strype speaks of forty executions in one county in a year. Yet the state of the country social and economical during the reign was progressively good. Insurrection was religious and political, not social as under Edward VI. Manufactures received an impulse from the influx of Flemish weavers whom Spanish tyranny and persecution had driven from the great hives of textile industry in the Netherlands. Compared with continental states ravaged by the religious war, the island kingdom was a haven of industrial prosperity as well as of peace.

A great part of Elizabeth's reign is a glorious gap in political history. Politics are almost lost in the struggle for national existence, and the history is military or diplomatic. The page is filled by the efforts of statesmen, to support the protestant and English interest in Scotland against that of the Guises, in France to protect the same interests against the same dark power ; by the deeds and sufferings of the English auxiliaries in the Netherlands and in France ; by the war with Spain upon the sea and the defeat of the Armada. Patriotism takes the form of loyalty to the head of the nation, and a practical dictatorship for the public salvation is accorded to the government, as it was accorded to the American government during the war of Secession. Shakespeare is full of patriotic fire. But in the mirror which he holds up to his age no political forms are seen. He is himself monarch-

ical, dislikes the mob, laughs a little at the sectaries, girds at the pope, though he makes no allusion to the struggle with papal Spain or to the Armada. But there is not a trace in him of party feeling or of interest in constitutional questions. To him king John is the king of England defending the realm against the French invader. Of the Great-Charter he says not a word. By Raleigh in his "Prerogative of Parliament" the Great Charter is flouted. Raleigh himself is a type of the Elizabethan character, and of its relation to political history. He is extravagantly loyal, an almost slavish courtier, to rise in the queen's favour being the sum of his ambition, and at the same time intensely patriotic. He is a hero, an intriguer, and a corsair. The exuberant life-blood of a nation renewing its youth shows itself in his versatile energy as politician, man of letters, soldier, sailor, colonizer, and inventor; of religion he has so little as to be suspected of atheism, but he is a protestant at least for the purpose of fighting the Armada and raiding on the Spanish main. There was again danger of a lapse into arbitrary government. But the antidote in the form of a religious party and of the economical changes which produced an independent gentry was at hand.

By the conflict itself, indeed, moral forces and energies were called forth which could hardly have sunk into servitude. A school of protestant chivalry was formed, broader, more human, and nobler than the chivalry of the middle age. Its star was Sir Philip Sidney, who, wounded on the field of Zutphen, passed the cup of water from his own fevered lips to those of a suffering comrade, and whose death was deplored by a nation penetrated with his spirit as a great public calamity. Its poet was

1586



Spenser, the English Tasso, whose crusaders are the champions of protestant truth going forth, not against the Paynim, but against the giants and enchanters of the papal Duessa. That with this chivalry some ferocity should mingle was inevitable in those times. At its worst it never equalled the ferocity of the Spaniards or the League. Above all, there was a glorious development of maritime prowess and adventure. If in Drake, Hawkins, Frobisher, Cavendish, and Walter Raleigh there was far too much of the buccaneer, the sea in those days was almost beyond the pale of international law, and the pretension of Spain to bar the gate of the west against mankind greatly provoked mankind to burst the bar. The Spanish Inquisition too was at work and had English mariners in its dens. In the great struggle, while catholicism with its terrible Spanish legions dominated by land, protestantism with its daring mariners, English and Dutch, was supreme at sea. The intrepidity of these mariners, when we consider the smallness of their barques, their lack of charts, of any instrument of observation better than the astrolabe, even of a perfect knowledge of the use of the compass, fills us with wonder, and we feel that however much the world in our day may have surpassed them in science, it can hardly have hearts so strong. Seamen can take no part in politics, and Great Britain owes her liberty largely to her good fortune in having, as an island, a navy, not a standing army, for her defence. But the character of the seaman has worked into that of the nation at large and impregnated it with the freedom of the sea. One very dark blot there is on the page. Hawkins began the English slave trade, and the queen shared his gains.

Of the intellectual quickening, proofs enough are Shakespeare and Bacon. In Shakespeare, with his little Globe Theatre, his want of scenic apparatus, of general culture, and of models, for he evidently knew nothing of the classical drama, we are struck, as in the case of the maritime adventurers, by the achievements of sheer power. If Bacon did not advance science by discoveries, he opened the gates of morning, and never had science so magnificent a preacher. He carried a scientific spirit into politics, as well as a touch of Machiavel.

A great school of diplomatists, such as Walsingham, Knollys, Sadler, and Randolph, was also formed, and if these men did not escape the obliquities of their age, if they fought the power of evil with its own weapons, it was the power of evil which they fought, while the mastery of their calling which they acquired was equalled by their devotion to the commonwealth. Of diplomacy perhaps this generation is the zenith, since the policy of Europe was then the policy of courts, in which personal influences held sway.

Elizabeth's fancy was to call herself a Virgin Queen. Marry she would not, though parliament and the nation earnestly besought her to choose a husband and give an heir to the throne. She fenced and dallied with the question, the threads of which blend laughably with the web of a terribly serious diplomacy. It must be owned that it was hard to call upon a woman to wed for a political end against her inclination. It must also be owned that the choice among the available princes of Europe was narrow, and that Alençon, whom the queen pretended to like best, and who seemed politically the most eligible, was undersized, and pock-marked, with a

knobbed nose, a croaking voice, and a character not superior to his person. Here we come once more upon a drawback of female sovereignty. Elizabeth's secret reason for declining marriage probably was her unwillingness to part with the sole power. Marriage, at all events, she coquettishly declined, and resolved to live and die a virgin. But being extravagantly fond of admiration, she consoled herself with flirtations which gave rise to scandals such as history does not stoop to investigate. The most notable of these flirtations was with Robert Dudley, Earl of Leicester, a handsome, magnificent, and bad man. Leicester was already married, as Elizabeth knew, to Amy, daughter of Sir John Robsart, a country knight. So near had he come to winning his sovereign's hand and a seat beside her on the throne, that to rid his ambition of that obstacle his young wife was put out of the way. Of this fact there can scarcely be a doubt. Elizabeth, though she would not marry him, though she even in a wayward mood tendered him as a husband to the queen of Scots, continued her dalliance with him when, as Burghley said, he was "infamed by the death of his wife." Infamed in a high degree he was. But for a time by his intrigues he almost supplanted Burghley. When he went as commander to the Netherlands his vanity and incapacity appeared. Sir Christopher Hatton was recommended to the chancellorship and a seat in the privy council by his handsome figure and his grace as a dancer. He addresses Elizabeth in the language of frantic passion. Looks and dress were known passports to the favour of the royal maiden, and the flattery of courtiers, even to the last, was a mimicry of love. Henry IV. of France fell diplomatically into



the fashion, and tried to make the English ambassador believe that he was ravished with the portrait of a lady of sixty-four, and, as an ungentlemanly historian remarks, with small black eyes and a hooked nose, black teeth, and a red wig. It was fortunate for the nation and creditable to the queen that, on the whole, ministers who had not the art of love, but had the art of saving their country, were able to hold their own in council against the lovers, though the lovers got the praise and the reward.

The balance between the two great powers, France and Spain, forms the key to the foreign policy of the early part of the reign. The rivalry between those powers prevents them from uniting their forces against the heretic realm which, being without a standing army, could hardly have resisted their trained soldiery and experienced captains. English statesmanship inclined to the Spanish connection, while Philip of Spain, chief defender of catholicism and exterminator of heresy as he was, obedient to the injunction of his politic father, cultivated the alliance with England, suspended by his influence the action of the pope against her government, and long declined to carry the papal sentence of deposition into effect. A passionate desire of recovering Calais is a strong, though secondary, factor in the English policy. But as the reign goes on political and territorial objects give way to mortal conflict between the old faith and the new, which sets, not nation against nation, Spain and her allies against France, but the two religious parties in each nation against each other. England being protestant is compelled to take the protestant side, though against the bias of her queen, who in her heart hates thorough-

going protestantism, is above all things monarchical, and shrinks from an alliance with Scotch, Dutch, or Huguenot insurgents against their lawful sovereign. Elizabeth is first constrained by the pressure of Cecil and her protestant councillors to support the reformers in Scotland against the Guise influence and Mary queen of Scots, which she does unwillingly, John Knox as the author of the "Monstrous Regiment of Women" being an especial object of her hatred, and very fitfully, doling out assistance to her allies with a niggardly hand, often playing them false and sometimes driving them to despair. Presently she is constrained not less unwillingly to send help to the insurgent Huguenots in France and to the insurgents against Spain in the Netherlands. She still clings to the Spanish connection, and is fatuously bent on its renewal. The forbearance of the Spanish king lasts long, though he is sorely provoked, not only by the protestant policy of England and the aid lent by her to his heretic rebels, but by the outrages of her buccaneers. At last it gives way. Upon the execution of Mary queen of Scots his hesitation ends, and his Armada sails. Through the whole of the tangled web runs as a connecting thread the history of Mary queen of Scots.

Elizabeth and Mary queen of Scots were bound to be enemies from the beginning. Something there may have been in it of feminine rivalry. One of the women was, the other would fain be, a beauty. But Mary was the legitimate heir to the crown of England, excluded only by the will of Henry VIII., and she had set up her claims by assuming the title and the royal arms. This is to be borne in mind when Elizabeth is arraigned for churlishness in refusing Mary a safe-conduct from France to Scot-

land, and for her intrigues with Mary's subjects. If those intrigues were dark, they were not darker than those of the house of Guise on the other side. To put an end to the hostile influence of France in Scotland was on the part of the English government a vital measure of self-defence. The religious struggle had now transcended nationality and modified civil duty. It made the Scotch protestants clients of the queen of England, though they were subjects of the queen of Scots. Of Mary's devotion to the catholic cause, and determination to crush Scotch Presbyterianism whenever she had the power, there could be no doubt. Rizzio was her privy minister in playing this game. To the young queen, cast among such a crew of uncontrolled and stabbing anarchists as were then the nobles of Scotland, with scarcely a trustworthy adviser or a true heart to lean on, allowance and pity are due; and we can only admire the constancy with which, unsupported as she was, she withstood the attempts of fanatical preachers to bully her out of her religion. But she was working, and was bound to work, with the catholic powers at her back, against the great cause; and the liegemen of the great cause were bound to counteract her working. That she was privy to the murder of Darnley there can be little doubt. But the man could hardly be called her husband who when she was with child had burst into her chamber with a band of ruffians and butchered Rizzio almost before her eyes. When Mary, after being deposed and signing her own abdication, fled her kingdom and took refuge in England, she doffed the queen and became subject, as a sojourner, to the law of the land in which she sojourned. She was treated as a prisoner, and for a prisoner to plot escape is not criminal. Nor was it

1566  
1567  
1568



Mary's fault that in her prison she was the lady of catholic romance, the cynosure of catholic policy, the pivot of catholic conspiracy; that in her cause broke out the rebellion in the north of England, headed by the old catholic nobility, which cost the Duke of Norfolk, the chief of that nobility, his head. But if Mary herself plotted treason, above all if she plotted the assassination of Elizabeth, she could plead no privilege for crime. Her conviction was lawful and just, unless a trap had been laid for her. The protestants had clamoured fiercely for her blood, and she was their mark when they formed a great vigilance association to protect the life or avenge the death of their queen. Elizabeth wished her dead, but wished to cast the responsibility for the act on others. There can be no doubt that through her secretaries she solicited Mary's keepers, Paulet and Drury, to make away with their prisoner, and received from Paulet the indignant answer of a man of honour. At last she signed the warrant, yet pretended that it had been issued against her wishes, and not only belied her act to the king of Scots, but went through the farce of dismissing, imprisoning, and fining Davison, her secretary of state, for pretended contravention of her orders. Great must have been the patriotism of statesmen who for the sake of England could serve such a mistress.

In the Netherlands, where protestantism and freedom were fighting for their life with Philip of Spain, Alva, and Parma, the decisive field apparently lay; and upon that field the forces of England, had Henry of Navarre, Gustavus, or Cromwell been at their head, or had a free hand been given to Burghley and Walsingham, would have been thrown. But Elizabeth never heartily embraced

the cause of which destiny had made her the chief. She loved protestantism not much; political freedom she loved not at all. Her trade was monarchy. Her heart was in her trade, and it never was thoroughly with the Netherlands in rebellion against their king. Her dealings with them brought upon her government shame which it took all the heroism of Sidney, Norris, and Williams to wipe away. In her eagerness for reconciliation with the king of Spain she apparently was on the brink of being cajoled into delivering to him the cautionary towns, which would have inflicted a lasting stain on the honour of the country. Her troops were sent out, and were kept, by her parsimony, in a condition which filled their commanders with despair. They were cheated of their pay, while the soldiers of the Netherlands were regularly paid, and they perished in numbers from want of food and clothing. On their return from the war the survivors presented themselves famishing and half-naked at the palace gates, to be driven away with threats of the stocks. The niggardliness which thus starved the public service and wronged the soldier probably had its root in the love of power and unwillingness to be beholden to parliament. It yielded only to love. Wealth was heaped on Leicester and Hatton, while the soldier perished of hunger.

Hesitation to beard Philip's power might be wise. It would have been hard for England to resist his veterans could they have been thrown upon her coast. Religion apart, the policy of balance between Spain and France had much to commend it. But when the die had been cast, irresolution, half-heartedness, dilatoriness, parsimony were folly, and disloyalty to allies was worse.

Of all the war memories of England, the most glorious and the most cherished is still the defeat of the Armada. Trafalgar and Waterloo saved England, and Europe with it, from the domination of France, which in any case would probably have died with Napoleon. The defeat  
1588 of the Armada saved England and Europe from a night the darkness of which might for centuries have been broken by no day. That it transferred to England and Holland, and ultimately to England, the dominion of the sea, was a fruit secondary to such a deliverance. The qualities displayed by the seamen, who, in their small barques, attacked, chased, and destroyed the floating castles of the Spaniard, are the most thoroughly English and appeal most to the English heart. The whole scene of the fight in the channel, of the fire-ships at Calais, of the flight of the invader round Scotland, and his wreck on the Scotch and Irish coasts by storms in which protestantism saw the hand of heaven, is one of the most thrilling and tragic in the history of war. Let the fair share of the glory go to England's Dutch allies in the defeat of Philip II., as well as to her Prussian allies at Waterloo. Let the victory be regarded as one gained not over the Spanish people, but over the evil spirit which had entered into Spain, and let Spanish pride be spared the celebration.

When the Armada lay ready in Spanish ports, England, and protestant Scotland with her, were in the extremity of peril. The Armada was a convoy for the army of Parma; and had Parma with his legions landed in England, there was no regular army to withstand them. In that terrible hour what was the queen doing to fire the heart of the nation and prepare for the defence? She



was carrying on behind the back of her allies and to the despair of the best spirits in her council, notably of the great Walsingham, and of the leading mariners, negotiations, not less fatuous than unworthy, for a treaty with the king of Spain, of whose falsehoods and those of Parma she was the dupe. Drake's enterprise against Cadiz, which crippled the enemy by an immense destruction of his resources, was countermanded by her, though happily too late, and Drake was rebuked on his return. Instead of strengthening her armaments to the utmost and throwing herself upon her parliament for aid, she clung to her money-bags, actually reduced her fleet, withheld ammunition and the most necessary stores, cut off the sailor's food, did, in short, everything in her power to expose the country defenceless to the enemy. Statesmen and admirals alike held up their hands in agony at her conduct. "Why will not your Majesty, beholding the flames of your enemies on every side kindling around, unlock all your coffers and convert your treasure for the advancing of worthy men, and for the arming of ships and men-of-war that may defend you, since princes' treasures serve only to that end, and, lie they never so fast or so full in their chests, can no ways so defend them." Such was the wail of a faithful servant and a patriot, which fell upon deaf ears. The pursuit of the Armada was stopped by the failure of the ammunition, which apparently, had the fighting continued longer, would have been fatal to the English fleet. Treason itself could scarcely have done worse. The spirited speech at Tilbury, instead of being a defiance hurled in the face of the Spaniard, was really hurled at his back some days after his flight. The country saved itself and its cause in spite of its queen. And

how were the glorious seamen whose memory will forever be honoured by England and the world rewarded after their victory? Their wages were left unpaid, they were docked of their food and served with poisonous drink, while for the sick and wounded no hospitals were provided. More of them were killed by their queen's meanness than by the enemy. Even the praise the queen bestowed, not where it was due, but on her vile favourite Leicester. If all this, unpardonable in a man, was pardonable or exempt from censure in a woman, the inference is that a woman ought not to be at the head of the state, at least when the state is threatened by an Armada.

As the reign wears on, and the danger from abroad passes away, home politics revive. The House of Commons shows a more independent spirit, vindicates its freedom of speech, attacks abuses, moots high questions of state, challenges prerogative, opens, in fact, the irrepressible conflict between government by prerogative and government by parliament, of which the supremacy of parliament is destined to be the result. The sources of this revival are two. In the first place, owing partly to the dissolution of the monasteries, which threw their lands back into circulation, there have grown up a landed gentry and a substantial yeomanry, who are not under court influence, and whose choice in the election of members of parliament it is not so easy for the crown to control. The gentry find their way into the House of Commons, and they have their order and the yeomanry at their back. In the second place, Puritanism has come upon the scene. An open Bible has done its work; men have made out of it for themselves a Bible religion, independent of church

teaching. An equivocal religion it was, and equivocal, though grand, was the character which it formed. It took the whole Bible as inspired, confused the Old Testament with the New, Judaism with the Gospel which was a reaction from it, Christian brotherhood with Hebrew privilege, the spirit of the Sermon on the Mount with that which breathes in such stories as those of the slaughter of the Canaanites, the killing of Sisera, the hewing of Agag in pieces before the Lord, and the hanging of Haman and his ten sons. Catholicism was not Biblical; it had little of the Old Testament; it was a development, though distorted, of the religion of Jesus. Whatever might be its superstition and its priestcraft, it did not cast upon life or character the shadow of the old Covenant with its tribalism, its sombre and angry prophecies, its Mosaic law, its Mosaic Sabbath, its narrow conception of the Chosen People. Puritanism was Biblical in the extreme; whatever was in the Bible it indiscriminately embraced, whatever was not in the Bible it abjured. But compared with catholicism it was rational. Compared with catholicism it was tolerant, though its toleration at first might be less a principle than the necessity of a struggling minority, or a consequence of its internal divisions. It had no Inquisition, no Jesuits, no Index, no *autos-da-fé*. It brought man, without the intervention of church or priest, into direct communion with his Maker. Its spirit was independent, high, and, in the battle with the Evil One, heroic. Its morality, though narrow, austere, and somewhat sour, was pure and strong. If it was not favourable, it was not hostile to culture, and among its votaries were highly cultured men. Education it zealously promoted as a safeguard



against priestcraft and as a key to the study of the Bible.

Protestants who had fled from Mary to the continent brought back with them from the lands of Luther, Calvin, and Zwingli aspirations which spurned the Anglican compromise, and could be satisfied with nothing less than a radical reformation. All the relics of papal ritual, the surplice, the cross in baptism, the sponsors, the marriage ring, the kneeling at the reception of the eucharist, the administration of the eucharist in private, which seemed to make it a sacrament, not a communion, these men desired to sweep away; and when they were upbraided for their warmth about mere forms, they might truly say, as the opponents of ritualism in our own day have said, that the forms draw doctrines with them. Episcopacy itself they regarded with an evil eye, and desired at all events to limit the autocracy of the bishop, and to give the people a voice in the appointment of their ministers and in the administration of the church. They made war, also, on practical abuses; on the loose lives of the clergymen, such as Shakespeare's Sir Hugh Evans and Sir Nathaniel, and their neglect of duties, for which many of them, as ex-priests of catholicism, would probably have little aptitude and less relish; on pluralism and non-residence, for which the impoverishment of the benefices was pleaded as an excuse, but which left many parishes without a pastor. Some Puritans, whose leader was Cartwright, were Presbyterian, not less convinced than Episcopalians of the exclusively divine character of their own form of church government, or less ready to impose it by force on others. All of them, while they desired to purify the national church, believed in its necessity as an institution,

and in the duty of the civil ruler to uphold it. None of them dreamed of such a solution as a tolerated nonconformity. None of them were in principle friends to religious liberty. Religious liberty found its only champions in the Brownists or Independents, who were proscribed and persecuted on all hands as near kinsmen to the revolutionary Anabaptist and a scandal to the protestant Reformation.

Whether Elizabeth's ecclesiastical title was head or governor, she regarded herself as in all church matters supreme. In that sphere, convocation having lost its authority, there was nothing answering to a parliament to curb her will. She styled herself the Overlooker of the church, and she could hardly have uttered a severer satire on the whole system of church establishments. To credit her with strong religious sentiments either way would be absurd; but she had a taste for the ritualism which the Puritan abhorred. To popery she was made an enemy by circumstance; Puritanism she herself detested. As Strype says, "She would suppress the papistical religion that it should not grow, but would root out Puritanism and the favourers thereof." Above all she was for uniformity, conformity, and entire submission to her will. To use her own words, she was determined "that none should be suffered to decline either on the left hand or on the right hand from the direct line limited by authority of her laws and injunctions." At the beginning of her reign, while her throne was unsteady, she promised latitude and comprehension. But in its latter part, the danger being over, she began rigorously to enforce conformity and to persecute the Puritans, to whose enthusiastic support her preservation had

1593  
1593  
been mainly due. We see her temper in the Conventicles Act of 1593, passed to restrain the queen's subjects in obedience, under which three nonconformists, Barrow, Greenwood, and Penry, suffered death. The queen acted against the advice of her wisest counsellors. Burghley notably protested against the inquisitorial character of the interrogatories used to probe the consciences of ministers, saying that he did not think the Inquisitors of Spain used so many questions to trap their prey. He headed a memorial signed by eight privy councillors against depriving people of good pastors for conscientious dissent on points ceremonial. The engine of persecution was the court of high commission, consisting of bishops, privy councillors, and officers of state, through which the queen had taken authority to exercise her ecclesiastical powers. For the bishops Elizabeth showed no respect. But she insisted that they should do her will by coercing the nonconformists and take the unpopularity on themselves. "God," she said to the bishops, "hath made me the Overlooker of the church; if any schisms or errors heretical are suffered therein which you, my lords of the clergy, do not amend, I mind to depose you. Look you, therefore, well to your charges."

Caring nothing for sacraments and little for liturgies, the Puritans valued above all the ordinance of preaching; as they naturally might, when the Word was almost as new as it had been at the first promulgation of Christianity. They provided themselves accordingly with preachers, to do for them what the parish clergy could not or would not do; and to hear these preachers they formed their own congregations. The queen insisted that the preachers and the conventicles should be put down. Grindal, the arch-



bishop of Canterbury, an excellent old man, refused to be her agent in depriving the people of what they thought, and he at least half agreed with them in thinking, the bread of spiritual life. For this the queen suspended, and, had she dared, would have deprived him. Grindal's successor, Whitgift, a narrow disciplinarian, Aylmer of London, and other bishops, were more compliant, and by their energy in suppressing the preachers and enforcing conformity made themselves hateful to the people. The prisons into which dissenters were thrown were in those days so foul that confinement in them was little better than death, and one sectary could boast that he had been in thirty-two prisons, in some of which he could not see his hand at noon-day. Against the persecuting episcopate the Puritans waged a war of pamphlets. They set up a secret press, which forms a new feature in the progress of political warfare. The more violent and coarser of them assailed the bishops in a series of tracts under the name of Martin Marprelate, full of the most intense rancour that persecution can engender. The Puritans, however, were always unshaken in their loyalty to the throne. One of them, Stubbe, when, for having written against the marriage of Elizabeth with a papist, his right hand was cut off, had waved his hat with his left hand and shouted, "Long live queen Elizabeth!" Burghley appreciated Stubbe though queen Elizabeth did not.

Re-activated thus at once by rural independence and by Puritanism, which, the catholics being excluded by their inability to take the oath of Supremacy, there was no catholic party to counterbalance, the House of Commons showed, and increasingly as the reign went on, a force unknown since Lancastrian days. It asserted its right, in

spite of rebukes from the throne, to deal with the highest questions of state, such as the queen's marriage and the succession to the crown. It moved for Puritanic change in the formularies and ceremonies of the church, thus trenching on a province which the sovereign regarded as belonging to her alone. When one of its members was arrested for boldness of speech, it reclaimed him and welcomed him back with cheers. It attacked the monopolies, by grants of which the queen enriched her favourites, and enforced her consent to their abolition, which, when she found it inevitable, she gave with characteristic tact and grace. Leaders of opposition such as Peter Wentworth, Strickland, and Yelverton, stand forward, the genuine precursors of the leaders of the Long Parliament. Wentworth refers to himself as meditating his speech while walking in his own grounds; so that parliamentary oratory has become a power. The language held in debate, after the servility of the preceding age, if D'Ewes correctly reports it, sounds like a tocsin; "We are expressly charged by our constituents to grant no moneys until the queen answers resolvedly what we now ask. Our towns and counties are resolute on this subject." The imperious queen, when she refused to marry or settle the succession, was told that "she was a step-mother to the country, as being seemingly desirous that England which lived in her should expire with her rather than survive her"; that "kings could only gain the affections of their subjects by providing for their welfare, both while they lived and after their death"; and that "none but princes hated by their subjects or faint-hearted women ever stood in fear of their successors." "All matters," said Mr. Yelverton, "which are not treason, or too much

to the derogation of the imperial crown, are in place here, and to be permitted; here, I say, where all things come to be considered of, where there is such fulness of power that it is the place where even the right of the crown is to be determined. To say that parliament hath no power to determine of the crown is high treason. Men come not here for themselves, but for their countries. It is fit for princes to have their prerogatives; but even their prerogatives must be straitened within reasonable limits. The princess cannot of herself make laws; neither may she, by the same reason, break laws."

Hooker, in the latter part of the reign, though the majestic champion of Anglicanism against protestantism, is popular in his principles as to the origin and foundation of government, however monarchical and hierarchical he may be in the application. Even Bishop Aylmer, the persecutor of the Puritans, recognizes the two Houses, one representing the aristocracy, the other the democracy, as powers co-ordinate with the crown, and says that if they use their privilege the king can ordain nothing without them, or if he does, it is his fault in usurping, and theirs in permitting the usurpation.

On the other hand, there was no such approach to responsible government as was made by the Lancastrian parliaments, which claimed a control over the appointments to the council. The ministers regarded themselves as the queen's servants alone; as bound, when their remonstrances had failed, to do her will, not to resign; and as justified in all that they did by her command. This principle was avowed by Burghley, whose conduct on some occasions, especially on the eve of the Armada, stood in need of its application; but his colleagues also seem to



have acted upon it; at least none of them resign. The government still is, and is deemed by all, to be in the sovereign, though it is held under the advancing shadow of the rival power. The authority of the sovereign is perpetual, that of parliament is intermittent, and its existence can be suspended at the pleasure of the sovereign. No annual budget and supply require its regular presence. For nearly five years Elizabeth called no parliament. Nor was the connection between the members and their constituencies maintained and the spirit of the House renewed by periodical elections. The crown could keep the same parliament in existence as long as it pleased.

One proof of the growing power and independence of the House of Commons is the reluctance of the queen to hold parliaments. Another is the presence in the house of privy councillors, who lead for the government much as ministers lead now. A third is the creation or revival of a number of small boroughs, which are evidently intended to furnish safe seats for placemen or nominees of the sovereign, and counterbalance the elections of independent gentlemen by the counties. A seat in the Commons, instead of a burden, is becoming an object of ambition, of which the appearance of bribery at elections is a sinister sign.

The question is mooted whether residence in the constituency should be required as a qualification for election. It is decided that the election shall be free. This, at the time, is rather in favour of the courtiers against the country, though it facilitates the election of lawyers, who on some important questions formed the head of the opposition lance. But it decides that the House shall be a council of the nation, not a convention of local delegates. It is a

noble resolution, from which modern democracies, notably that of the United States, have fallen away.

Against the Lords the House of Commons distinctly asserted the exclusive right of initiating money bills, the ultimate pledge of supreme power. An attempt of the Lords prompted by the court to press a subsidy bill on the Commons was resisted by Bacon, who seems to have thereby forfeited the favour of the queen.

The House of Lords has settled down from a mutinous aristocracy into a conservative House of titled landowners inclined to support the court against the commons, or attached to the Liberal side chiefly by possession of the church lands. Elizabeth creates few peers, and these are courtiers. From their ancient claim to advise and control the government the lords have been ousted by the privy council. On the demise of the crown, which would also be legally a demise of the council, a lord laid his hand in the name of his order on the helm of state, but the hand was speedily withdrawn. It is by the council that the new king is proclaimed.

1603

We are not yet clear of arbitrary taxation on merchandise, still claimed by prerogative as its lawful victim, or even from forced loans. But the overthrow of monopolies proves that law is gaining the upper hand. Personal liberty is not so well secured. The people have not yet learned that the rights of each must be defended if they would preserve the rights of all. It is of this reign that Hallam is speaking when he says that in trials for treason the courts were little better than the caverns of murderers. The star chamber assumes the exercise of a residuary prerogative, undefined in extent, and nonconformists are arbitrarily imprisoned by the court of high commission.

There is a disposition to introduce martial law, and the queen wishes to apply it to a man who had compassed the death of her favourite Hatton. The peril of the nation might warrant strong measures; but encroachment did not stop there. Still, principle remained settled and was gaining ground.

1601 The last object of Elizabeth's affection, Essex, must have been a favourite, not a lover. The mad insurrection into which jealousy of his court rivals hurried him, and which cost him his life, was about the last outburst of aristocratic anarchy, while Bacon's conduct in the impeachment of his friend and benefactor is a repulsive relic of the servility which, in the court of Henry VIII., laid nature and friendship, as well as liberty and truth, at the despot's feet.

The melancholy which fell on the queen in her last days has been ascribed to political disappointment and the sense of impending change. She felt, it is said, that the Tudor system of government and society was passing away. In "rooting out Puritanism and the favourers thereof" she had certainly not been successful. Hallam thinks that her popularity had declined. He says that the nation cheated itself into a persuasion that it had borne her more affection than it had really felt, especially in her later years. Her best councillors were dead. The tragedy of Essex, even if he was nothing more than a favourite, may well have contributed a shade of gloom. But we perhaps need look for no deeper cause of her chagrin than the sense of desolation, the shadow of coming death, and the feelings of a woman who sees the end at hand after having coquetted all her days and refused love.



Change, however, was impending in the political if not the social sphere. The danger of attack from abroad and the catholic powers was overpast; that of civil war had long been left behind. The need of an autocrat was felt no more. A powerful class, adverse to aristocracy, had grown up; a religion adverse to the hierarchy with which autocracy was identified had taken deep root. On the other hand the monarchy still regarded itself as of right autocratic, while among the clergy a hierarchical and ritualistic reaction had set in. Thus the clouds were fast gathering out of which would break the elemental war.

Elizabeth had resolutely declined to settle the succession to the crown. Parliament had remonstrated with her strongly, even sternly, but in vain. In this, as in her refusal to give the crown an heir by marrying, she was most likely influenced by unwillingness to part with power. She had no mind, she said, to be buried before her death. This feeling, which clung to her even on her death-bed, was near consigning the nation, for which she professed a maternal affection, to civil war. She had no power without parliament to bequeath the crown, still less to bequeath it by word of mouth. Though the king of Scots was the heir to the crown by blood, the parliamentary title under the will of Henry VIII., which an Act of parliament had made law, was in the house of Suffolk, while there was another claimant in the person of Arabella Stuart as a native, James being an alien born. The council cut the knot, averted confusion, and united the crowns by proclaiming James of Scotland king of England. 1603

## CHAPTER XX

### JAMES I

BORN 1566; SUCCEEDED 1603; DIED 1625

THE histories of Scotland and Ireland now mingle their streams with that of the history of England.

The history of Scotland since the victory of Robert Bruce had been the chronic struggle of a feeble monarchy with a lawless, turbulent, and rapacious nobility. Bruce himself, before he died, had been the mark of aristocratic conspiracy. He was scarcely dead when the oligarchy which crowned him was for a moment overthrown by a revolution, caused apparently by the dislocation of estates which followed the rupture of the kingdoms in a baronage holding English as well as Scotch fiefs, combined with the general spirit of anarchy and rapine, and the country for a time weltered in confusion. The barons retained the worst privileges of feudalism. They had heritable jurisdictions with power, in their baronies, of life and death. The great offices of state were hereditary, and so were the wardenships or commands on the border. A baron had absolute control over his vassals and could always lead them against the crown. Royal or national justice was hardly known. It could be enforced on the border only by calling out the force of several shires. The instruments of high police were letters of fire and sword. Under

such conditions, as the Scotch historian says, burgher and peasant alike suffered. "The voice of the country's wretchedness is heard in the chronicles, which lament that justice and mercy are unknown throughout the land, that the strong tyrannize and the weak endure." Against the crown and each other nobles were always forming cabals, or "bands of manrent." Private war was the rule. The most powerful of the houses was that of Douglas, though Hamilton, Graham, Boyd, Crichton, and Livingston had their hour. The domains of the Douglasses were in the south, where the martial spirit was kept up by border wars. Their grim and massive stronghold, the sea-girt Tantallon, bespoke the character of an iron race. For a time that house overtopped the crown, against which it could combine almost half the kingdom. One king could rid himself of its mastery only by playing the assassin. He entertained the Douglas at a feast, drew him aside, bade him break up his "band," and when the Douglas replied he would not, said, "I shall," and plunged a knife into his heart. On the other hand, when a king, recoiling from the rude domination of the nobles, found favourites in another class, the nobles seized his favourites and hanged them before his eyes. Archibald Douglas won the nickname of "Bell-the-Cat," by being the leader in this outrage. To take up arms against the king was a venial offence. To seize him and carry him off was one of the strokes of intrigue. Of six successive kings, from Robert III. to James VI., two were murdered and one died of the chagrin brought on by treason, while two fell in battle or siege. The long minorities which ensued were periods of redoubled confusion. Among themselves the noble houses carried on deadly feuds which



descended from generation to generation, and bred tragedies rivalling that of the Tower of Ugolino. To weaken the nobility, the kings fomented these feuds.

1424 James I. of Scotland had passed his youth as a captive in England during the Lancastrian era. He had been well educated by the care of the English kings. He had seen comparative civilization, and on his return to Scotland tried to introduce it there. He partly remodelled the Scotch parliament on the English pattern, introducing the principle of representation, to admit the gentry, who formed the sinews of the English House of Commons. Through this parliament he opened the statute book of Scotland, revised the law, made a survey of property for taxation, regulated weights and measures, reformed the coinage, repressed vagrancy, and made war on feudal privilege. He cut off some high rebellious heads, and resumed lands of which the nobles had despoiled the crown. The consequence of his reforms was one of the grand murder scenes of history. In a monastery at Perth, where the court lodged, as the king lingered in his night-gear before the fire, his ear caught the noise of assailants breaking into the building. All other outlets being closed, he tore up the floor of the room and took refuge in a drain beneath it, while the women, whom alone he had  
1436 around him, feebly barred the door. He was discovered by the murderers and slain. To the people he had made himself dear as their shield against feudal oppression, and their affection was shown by the execution of the murderers with fiendish refinements of torture. His son, James II., took up his policy, and was making some way  
1460 with it when he was killed by the bursting of a cannon.

A parliament Scotland had, composed of the nobility,

the hierarchy, the lesser barons or the gentry, and the burghers. But in spite of the transient reforms of James I. it remained comparatively undeveloped, if not abortive. It was not divided into houses. It gave up the initiative of legislation to a committee called the Lords of Articles, practically controlled by the crown, of whose edicts it became little more than the register. It lacked the great engine of influence possessed by the parliament of England, as the kings rarely came to it for supplies; they subsisted mainly, as a rule, upon the estates of the crown, which they augmented, when they had an opportunity, by confiscation. Nor did the nobles look for redress of grievances to parliament. They looked to their bands of manrent and their swords. The development of the judiciary, as an organ separate from the legislature, was imperfect, nor was there a Habeas Corpus to guard personal liberty, while torture, illegally practised by the Tudors in England, was in Scotland sanctioned by law.

The normal relation with England was war, only suspended by ill-kept truce or uneasy and querulous peace. Scotch borderers were always issuing from their peels, or towers, to raid on English fields. English kings swept Scotland with desolating invasions, sometimes reviving the claim to over-lordship, but were withheld from permanent conquest either by the difficulty of keeping feudal armies long in the field, or by their continental enterprises and entanglements. In the great battles the English bow, which the Scotch never learned to use, prevailed. Halidon, Homildon, Nevill's Cross, Flodden, all went the same way. After the slaughter of the Scotch king and his nobility at Flodden the kingdom would probably have fallen had Surrey's victorious army

advanced, instead of dispersing for want of supplies. But in marauding expeditions the Scotch, mounted on their hardy ponies, with a bag of oatmeal apiece for commissariat, had their revenge. War was carried on with the utmost savagery, and when the English entered a camp which the Scotch had left they found a number of English prisoners with their legs broken. The border, with its robber hordes and its plundering clans, was a realm of brigandage tempered by fitful inroads of authority and summary hangings, styled Jedburgh law. Pretenders to the English crown, the false Richard II., and after him Perkin Warbeck, found shelter and countenance in Scotland.

For protection against England, Scotland was fain to throw herself into the arms of France, of which she became the diplomatic vassal, and in war with the common enemy the subordinate ally. Scotch auxiliaries fought for France against the English invader, and fought well. Louis XI. had his Scotch guard, as readers of "Quentin Durward" know. It was in a French quarrel, and in response to an appeal made to his fantastic chivalry by a French queen, that James IV. recklessly invaded England, and led the flower of his kingdom to ruin at Flodden. The two countries entered into a league for mutual support against England, which in fact afforded the English government a standing cause of war. French auxiliaries were sent to Scotland, but the Scotch found them too fine gentlemen, while they found the Scotch not fine gentlemen enough. The Scotch castles and Scotch architecture of the period generally are in the French style.

Under such conditions the arts of peace could hardly exist; wealth could not increase; large towns could not



grow ; nor could the political influence of the city be felt. Such cities as there were preferred municipal isolation or combination with the other cities to partnership in the feudal commonwealth. It is surprising that the country should even have been regularly tilled, when flight before a devastating invader was a common incident of life. A combative and sombre patriotism with fierce hatred of the 'auld enemy' would be nursed by the conflict. Self-reliance must have been bred by the constant bearing of arms, and danger of enervation by luxury there could have been none. But the modern Scotch character is not the offspring of feudal anarchy or border war ; it is the offspring of protestantism, of Presbyterianism, of the school system, and, not least, of trade, acting, no doubt, on a basis of native force and shrewdness. Bacon, in his plea for union, comparing the Scotch with the English, says that the disparity is only in the external goods of fortune, that in the goods of mind and body Scotchmen and Englishmen were the same, and that the Scotch were a people "in their capacities and understandings ingenious," and "in labour industrious," as well as "in courage reliant," and "in body hard, active, and comely." But Bacon was writing after the Reformation.

The mediæval church of Scotland could not fail to partake of the general rudeness and coarseness of society. It is wonderful that any rose should have blossomed on such a thorn, and that church art should have produced such beauty as that of Glasgow Cathedral, Melrose Abbey, and the Chapel of Rosslyn. It is not less wonderful that universities should have been founded, and that there should have been, as apparently there was, a popular craving for education.

Such was the Lowland monarchy ; and that to the Lowlands, not to the Highlands and the Isles, the legal and titular sovereignty should belong, fortune decided on the battle-field of Harlaw. But the realm of the Celt beyond the Grampians remained unassimilated and unsubdued. There the clan system with all its relations and sentiments continued in full force, and the chief, instead of being, like the baron, lord of the land, was lord of the men to whom as a clan the land belonged. There Gaelic was still the tongue ; the Celtic mantle was still the garb ; the word of a lawless chief was still the law ; and the most honourable occupation was raiding on Lowland farms. Christianity could hardly be said to exist, and the restraints of marriage were almost unknown. Only by alliance with the powers of Huntley, in the eastern Highlands, and of Argyle, in the west, could the monarchy of Edinburgh obtain slight and precarious control. Between Lowland Saxon and Highland Celt the antipathy and antagonism were hardly less than between the English colonist in Ireland and the native Irish. "Cateran" was the name of hatred and contempt given by the Lowlander to the plundering Gael. For the suppression of caterans a statute was made by which any man might seize one of them, bring him to the sheriff, and kill him if he refused to come ; and this was the first in a train of penal and denunciatory laws against the Highlander, each more cruel than the last. The caterans, like the Irish kerne, retaliated when they had the power. Driven from the fruitful to the barren lands, they were shut out from civilization and almost constrained to plunder. The enmity between the two races was deadly ; there was apparently no hope of reconciliation, much less of a common nation-

ality. In Scotland as in Ireland there was as little thought of keeping faith with the Celt as with the beast of prey lured into the trap. To foment quarrels between clans was the policy of the government, which took a dramatic form in the combat of Highlanders before the king on the North Inch of Perth. 1396

Henry VII., as might have been expected from his character, dealt with the Scotch question in the spirit of cool diplomacy, and he was in a fair way to success. 1485-1509  
 Henry VIII. in dealing with it gave way to arrogant passion. 1509-1547  
 The marriage at last projected between his son and the heiress of Scotland seemed likely to do what might have been done by the marriage of the heir of Edward I. with the Maid of Norway. But the rash attempt of the Protector, Somerset, to enforce the nuptials, while it brought him the laurels of Pinkie Cleugh, was the ruin of his policy, and made over the hand of Mary queen of Scots to France. 1547  
 Critics of the policy of Edward I. say that the two nations were not then ripe for union. Were they riper after centuries of war, mutual devastation, and ever-deepening hate?

Then came the Reformation and changed all. In Scotland too a religion of sacraments and ritual had degenerated into a soulless formalism, and the magic means of salvation were bought and sold. In Scotland too the scandalous wealth of a torpid establishment, the worldliness and greed of the clergy, called aloud for reform. In Scotland too vice had entered with indolence into the monastery, and nature had avenged herself on the enforcers of priestly celibacy by substituting the concubine for the wife. Clerical abuses in a rude society, if not greater, were probably coarser and more repulsive than in Eng-



land. The people thirsted for a purer and more living faith, and thirsted for it probably all the more because their worldly estate was poor. The suffering of protestant martyrs, who were the offspring of English Lollardism, and of whom Wishart was the chief, had stirred the popular heart. Meanwhile a rapacious aristocracy thirsted for the spoils of the church. Scotch nobles had not failed to lay to heart the example set them by Henry VIII. and his partners in confiscation. Reform found a supreme leader and organizer in John Knox, a man of extraordinary force and dauntless courage, a thorough-going disciple of Calvin and sworn foe of everything papal, a modern counterpart of the Hebrew prophet who put to death the prophets of Baal. Knox had opened his career as an accomplice after the fact in the slaying of Cardinal Beaton, the chief of the idolaters and the murderer of the saints. In Scotland there was no despotic Henry VIII. to curb and attenuate the protestant movement. The young queen was away in France, and a foreign woman, Mary of Guise, held the reins of government as regent with a weak hand. Nor was there in Scotland a conservative middle class to temper the force of any revolution. The Reformation was carried at once to its full length by a fervid, fierce, and impetuous people. The whole catholic system, with its hierarchy and priesthood, its sacraments, its confessional, its penance and absolution, its saint-worship, its purgatory, its priestly synods and ecclesiastical courts, was swept away. If bishoprics were retained it was only that their holders might make over their lands to the nobles. The place of catholicism was taken by Calvinism, organized by Knox, with its democratic church assemblies, its preachings instead of the Mass, its austere simplicity

of worship, its rigid Sabbatarianism instead of festivals and Lent. Iconoclasm wrecked the monasteries and swept the churches. The beautiful cathedral of Glasgow, the pride of her burghers, narrowly escaped. The Lords of the Congregation, as the nobles who supported the revolution styled themselves, lent their hearty support to thorough-going changes in religion. But when it was proposed to transfer the wealth of the old church to the new ministry, they waved the proposal aside as a devout imagination, and, in the words of Knox, kept two-thirds of the fund for the devil while the other third was shared between the devil and God. The protestant ministers faced their poverty heroically, and perhaps it was their spiritual salvation. After some shiftings and oscillations, caused mainly by struggles for authority between the ministry and the lay powers, Scotland, under the guise of a monarchy, settled down into an aristocratic republic with a strong theocratic tinge. If the ministers could have had their way it would have been a theocracy indeed, the church would have been beyond the control of the civil power, and its presbytery would have exercised over life and conscience an authority not less than that of the priest, and socially perhaps even more oppressive. Scotland would have been a counterpart of Geneva under the dictatorship of Calvin. Scotch religion, however, was popular in its character. It admitted the laity to a share in church government, though in a way which identified them with the clergy. It recognized the priesthood of the head of the family, as we see it in "The Cotter's Saturday Night." It was an Old Testament religion, with the stern righteousness of the Old Testament, an Old Testament Sabbath in place of the Roman calendar, Old

Testament hatred of idolatry, with which popery was identified, and Old Testament tyrannicide. From the Old Testament, too, came the belief in witchcraft, and the mania for witch-hunting which prevailed to a hideous extent. To the catholic cathedral, or church, with its poetry in stone, succeeded the bare preaching-house; for the poetry of the catholic ritual popular psalmody was the only substitute. The result was a national character, austere, sombre, strenuous in upholding its right.

Of liberty of opinion there was little more than there had been under the old church. Presbyterianism, like episcopacy, proclaimed itself manifestly divine, and called upon the civil magistrate to give effect to its excommunications and to punish disbelief. Catholicism was persecuted in its turn; the celebration of the Mass was made penal; for the third offence the penalty was death. Still an open Bible was an advance on papal or priestly infallibility, and education, which, as necessary to the reading of the Bible, Presbyterianism strenuously fostered, was enlightenment. The life of the Scotch nation, even its political life, henceforth found an organ more in the assemblages of the church, where the people were represented, than in the parliament, where the aristocracy bore sway.

The relations of Scotland to England, her ancient enemy, on one hand, and France, her ancient ally, on the other, were at once changed by sympathy with English protestantism and antagonism to French popery, represented first by the French regent, Mary of Guise, and afterwards by the queen her daughter, a widow of France. There is henceforth a strong English party in Scotland, headed by Knox, whose feelings towards France had not been



sweetened by his experience as a prisoner in the French galleys. Hard pressed by the regent and her French soldiery, the Scotch reformers welcomed the sight of an English fleet. With England, they thrilled with horror at the massacre of St. Bartholomew, and held their forces in readiness to encounter the Spaniard if he landed from the Armada. They proposed a Scottish husband for Elizabeth in the person of the Earl of Arran, and a union of the nations. 'This,' they said, 'would be the surest bond of alliance; other devices might seem probable for a time, but they feared not for long; this would remove all doubt for ever. England need fear no loss of her pre-eminence. The laws of Scotland were derived from those of England and of one fashion. Ireland might then be reformed, and the queen of England might become the queen of the seas, and establish an ocean monarchy divided from the rest of the world.' As to the laws, strictly speaking, they were somewhat astray, the law of Scotland being more Roman, while that of England was more feudal; but as to political character and the general tendency to free institutions, they said aright.

There follows a diplomatic struggle for ascendancy in Scotland, carried on through a series of years between the English on one side, and the French interest, which is that of the catholic reaction and the house of Guise, on the other. Among the Scotch politicians there is much of faction, family enmity, personal ambition, and rapacity, though the mask of religion is worn, and conspirators include the security of the reformed church among the professed objects of a political murder. The most conspicuous figures are Murray, Mary's half-brother, a somewhat enigmatic character, by some thought as honest as he cer-

tainly was sage, who heads the protestant and English party; Kirkaldy of Grange, at one time chivalrous and loyal, though he ended not so well; and Maitland of Lethington, a subtle and restless intelligence, master of all statecraft that could be learnt from books. On the part of England, the policy of the wise counsellors of Elizabeth is curiously crossed by the waywardness and duplicity of their mistress, her feminine jealousy of the queen of Scots, on one hand, and her unwillingness to support subjects against their sovereign on the other. For some time the great question is Mary's marriage. Elizabeth, in a moment of strange caprice or self-deceit, offers to her rival her own Leicester. Mary, though a pupil of the polished and wicked court of France, is a devout catholic, and keeps up a close correspondence with Rome, her relatives the Guises, and the king of Spain. The rude remonstrances and homilies of Knox could only deepen her hatred of the Kirk, and denunciations by the populace of what they styled her idolatry would have the same effect. But she had been trained to dissimulation, and she dissembled her hatred of the reformed religion, biding her time for its overthrow and the re-establishment of the true faith. Her time might have come. The fire of the Reformation had begun to cool; for iconoclasm there was no more food; the nobles cared only for a quiet title to their church lands, for which they would probably have sold their national religion, as their fellows did in England; and the queen, young, beautiful, spirited, and enchanting, was beginning to win the heart of her people. But love ruined Mary's game and that of her patrons, by throwing her into the arms of Darnley, a handsome, foolish, worthless youth, and a catholic. There followed dark

conspiracies among the nobles; the murder, first of Rizzio, the secret minister of the queen in her intrigues with the catholic powers, by Darnley and those who had made a jealous boy their tool; afterwards of Darnley himself, most likely with the complicity of the queen. Then came the scandalous marriage with Bothwell, the rebellion, the imprisonment at Lochleven, the resignation of the crown, the escape, the overthrow of Mary's cause at Langside, her flight to England, and the tragedy with which it closed. It is needless to say that when the question of deposing her was mooted, the Hebrew theocrats of the Kirk eagerly pronounced sentence on a murderess and adulteress. Could they have had their own way she would have met the fate of Jezebel.

1566

1567

1567

1568

1587

The reign of James himself in Scotland had been a minority of disorder, followed by the sway of a vicious favourite and by a series of cabals, conspiracies, judicial murders, and private wars, in which no respect was shown for the royal person.

The crowns were now united. Philosophic statesmanship in the person of Bacon desired a closer union, and the king had largeness of mind enough to enter into Bacon's views. Without an incorporating union it was certain that the lesser kingdom would be a satrapy. But national prejudice on both sides, especially on the side of England, after centuries of enmity and frequent warfare, was still too strong. Enactments directly hostile were repealed, and the judges, making law, decided that natives of Scotland born since the king's accession were not aliens in England. No more for the present could high statesmanship attain.

In Ireland the hideous struggle between the native



barbarian and the half-civilized invader had gone on for four centuries with the usual horrors of such struggles. To the war of races the Reformation, by turning the invaders protestant, had added a war of religion. Ireland had been drawn into the vortex of the great European struggle between the two creeds. Spain, to which she looked across the Bay of Biscay, had marked in her a point of vantage for attack on England. More than once Spanish troops had landed on the Irish coast. At Smerwick a body of them had surrendered to the Lord Deputy Grey, Spenser's "Artegal," and had been put to the sword in cold blood with a ruthlessness which rivalled Alva or Parma. This had lent a spur to English conquest, which had been pressed forward during the reign of Elizabeth with the steady aim and centralized power of the Tudor monarchy, but with forces stunted by the demands of the continental conflict and by the parsimony of the queen. Nothing could exceed the atrocities of the perennial struggle, in which the natives were treated by the invaders as vermin to be extirpated, any means being lawful for their destruction. From the Pale, the narrow sphere of their dominion, as from a citadel, the deputies swept the country with periodical hostings or raids, leaving in their track desolation, famine, corpses rotting on the ground, and wretches feeding on human flesh. While the eagles of adventure took wing for the Spanish main, the vultures swooped on Ireland and fleshed their beaks in her vitals. The septs meantime in themselves advanced not beyond their tribal state. They showed no tendency to coalesce into a nation. While the invader was warring on them all, they continued to war upon each other, and it was doubtful whether, had the invader not been there,

much less desolation and barbarism would have been produced by tribal feuds. Nor were the tyranny and the lawless exactions of the chiefs, with their robber bands of gallowglasses, less oppressive probably than those of the conqueror, or their bearing towards dependents less insolent than his. The great chiefs had assumed a character between tribal chieftainry and feudal lordship, and perhaps worse for the people than either, saving that in the relation to the chief something might remain of the clan sentiment to which there was no counterpart in the case of the feudal lord. Common ownership of the land had become little more than an idea, though an idea still cherished in the native mind. Savages, or little better than savages, economically, socially, and morally, the tribes at all events, remained. Marriage was scarcely held sacred among them. The common, or rather insecure, ownership of land, which is part of the tribal system, was fatal in Ireland, as it has been elsewhere, to agriculture, to which, moreover, the climate was unpropitious, being generally far more suited to pasture than to the raising of grain.

The importation of protestantism in its Tudor form into Ireland was a total failure. Against protestantism of the more enthusiastic kind the heart of the Celt is not closed. In the Highlands of Scotland he is a fervid Presbyterian; in Wales a fervid Methodist. Even in Ireland ardent preaching has been known to win him. But the Tudor compromise, with its politic coldness and formality, suited him not. Besides, it was the religion of the invader, and its liturgy was in an alien tongue. Nor was the Anglican church in Ireland missionary in its early, any more than in its later, day. It was a church

of English ascendancy, of political party, of persecution, and of plunder. An archbishop of Cashel held, in addition to his archbishopric, three bishoprics and seventy-seven benefices. Simony as well as pluralism was rampant. Patrons put horseboys into benefices and themselves took the income. Churches by scores lay in ruins. The only propagandism which the Anglican hierarchy in Ireland attempted was that of intolerant legislation which, being feebly carried into effect, but embittered hatred. The Irish Celt clung more than ever to his own religion and to his connection with Rome, while the catholic priesthood became rude tribunes of the people, and natural enemies of the government.

At last the sword of comparative civilization prevailed.

1599 The Lord Deputy Mountjoy hit upon the true military policy, which was not that of raids, but that of bridling each district with a permanent fort. The last great chiefs, after making their submission, bearing English titles as earls of Tyrone and Tyrconnel, and being enlisted as auxiliaries of the government, found that English law encroached on their rude domination, flung off their earldoms, returned to their Irishry, rebelled or conspired, were driven into exile, and forfeited their lands. At the same time a better and more statesmanlike spirit began to prevail among the conquerors. Its highest representatives were the Lord Deputy, Sir Arthur Chichester, and

1604 the lawyer, Sir John Davies, author of a famous treatise on Irish government. These men addressed themselves to the work of civilization, backed by the English government with good will, though with imperfect light. The process was now completed of turning the land of Ireland legally from tribal into shire-land, with individual



instead of tribal ownership and security of tenure, under the rules of the English law, which, though themselves half-feudal and somewhat barbarous, were yet propitious to agriculture compared with the tribal system. The people were all solemnly assured for the future of freedom from the insolence and exaction of the chiefs, of the impartial care of the government, and of equality before the law. In the words of the Lord Deputy's proclamation, "Every Irishman, his wife, and his children, were thenceforth the free, natural, and immediate subjects of his majesty, and not to be reputed the natives, or serfs, of any other lord or chieftain, and were to understand that his majesty could and would make the meanest of his subjects who deserved it by his loyalty and virtue as great and mighty a person as the best and chiefest of the lords." The Celt feels the benefit of good government as well as the Teuton, albeit he may not be quite so capable of giving it to himself, and he appreciates justice like other men. We are told that the Irish welcomed the happy change and flocked to the courts where impartial justice was administered, though optimists may have taken for grateful enthusiasm that which was little more than gregarious curiosity. Davies tells us that the wild inhabitants wondered as much to see the king's deputy as Virgil's ghosts wondered to see Æneas alive in hell. To extend parliamentary institutions to Celtic Ireland, just emerging from tribalism, was an undertaking the arduous character of which was less apparent to the statesmen of those days than it is to us who understand diversities of national character and stages of political development. The necessity of preserving English and protestant ascendancy, however, was felt, and the representation was

1613 duly manipulated for that purpose. When the first parliament of all Ireland met at Dublin there was a division on the election of the speaker. The majority went out into the lobby. The minority, remaining in the House, elected its man, and seated him in the chair. The majority on its return seated its man in the other man's lap. It is easy to deride the ignorance of political philosophy betrayed in thrusting representative institutions on a race unparliamentary by nature and destitute of political training. It is easy to declaim about adapting institutions to national feelings and character. It is not so easy to say precisely what ought to have been done. Civilization could not be grafted on tribalism; nor was any attempt made to graft it on tribalism in the case either of the Scotch or the Welsh Celt. Perhaps the rule of a just and sympathetic despot, like Chichester, with law officers like Sir John Davies, would have been best, at least till the apparition of order and justice had become less strange in Ireland than the apparition of Æneas in the realm of ghosts.

1611 The flight and attainder of the rebel earls, and the suppression of the subsequent rebellion of O'Dogherty had been followed by a great forfeiture of lands in Ulster to the crown. This violated the notion that the land belonged not to the chief, but to the sept, which was still ingrained in the Irish heart, though it appears that, in fact, the joint ownership, like the practice of annual re-division, had become a thing of the past, and had been superseded by a virtual lordship of the chief. It is not probable that mere forfeiture would have produced any great shock. It was otherwise when the forfeited land was colonized or "planted," as the phrase then was, with

English and Scotch, while the native Irish were driven out to make room, or reduced to the condition of Gibeonites under the stranger. This, which amounted to the creation of another Pale, seems to some to have been a fatal error and the main source of the calamities which followed; though it is not denied that industry both agricultural and textile came into Ulster with the colony, nor can the statesmen of that time be much blamed for thinking that the readiest mode of teaching the people the arts of life was the exhibition of this practical example. A more palpable error was the persecution of the native religion, which inevitably made the priest, who had the key to the hearts of the people, a conspirator against the government. The excellent and sensible Chichester left to himself would have abjured persecution. Anxious as he was for the introduction of protestantism, his policy would have been that of a missionary church. But the state bishops insisted on legal compulsion and they prevailed with the government in England. On every side we are met by the consequences of the union of the church with the state, and the entanglement of the real duty of government with its supposed duty of maintaining and enforcing the true religion.

The European struggle between protestantism and catholicism is now far advanced and the outlines of the final partition begin to appear. The Teuton as a rule is protestant. He is strong-minded and seeks, not like the southern son of the Renaissance, beauty, but the truth. If he remains a catholic, it is under special influence, as the four mountain Cantons of Switzerland are secured to the ancient faith by their isolation, their simplicity, and



their jealousy of protestant Berne ; or as part of Germany is kept catholic by the power of princes, some of them ecclesiastical, supported by the Empire in the hands of the catholic house of Austria, which will presently crush protestantism in its hereditary domain. The intrigue of the Jesuit, creeping to the ear of kings or their favourites, getting the education of the rich into his hands by his mastery of classical culture and polite accomplishments, winning spiritual dictatorship by his skill as a confessor and pliancy as a casuist, has everywhere seconded, perhaps more than seconded, the catholic sword. Rome, too, has been shamed and frightened into reform ; has purged herself of some at least of her scandals ; has called again upon the religious enthusiasm of her children ; has produced Carlo Borromeo, St. Francis de Sales, Xavier, St. Theresa. In Spain the Reformation has been utterly extinguished by the Inquisition, whose success is a black testimony to the policy of thorough-going persecution. In France the Catholic League, with Spain at its back, has been beaten, and the ex-Huguenot, Henry IV., is king. But he has paid for his kingdom with a Mass, which, all securities for Huguenot privilege notwithstanding, will prove the surrender of his cause, and, when bigotry has mounted the French throne, the death of his religion. Italy, always the land, not of the Reformation, but the Renaissance, the fiery life of her municipal republics now extinct, the voices of Savonarola and Giordano Bruno silenced by the papal executioner, is sinking beneath papal, Medicean, or Spanish rule into a long sleep of voluptuous slavery with dreams of art. Holland, freed by a struggle unsurpassed in history for heroism from Spanish rule, is protestant and the foremost

of thoroughly protestant powers; while, thanks to the fatal strategy of Parma, the Teutons of Flanders as well as the Walloons have fallen back under the Spanish and papal yoke. Protestant are the Scandinavian kingdoms; the Teutons of Germany, where they are not controlled by catholic princes; Berne and other Teutonic Cantons of Switzerland, the land of Zwingli. Intensely protestant are the people of Teutonic Scotland. In Slavonic Bohemia, the land of Huss and Ziska, the great cup of Utraquism still surmounts the churches; protestantism still reigns in the hearts of the people and animates a fierce nobility in the struggle for its privileges against the Imperial house of which the kingdom of Bohemia has become an appanage; but the Jesuit is at work. This is the crater from which will presently burst the last great eruption of the fires of religious revolution. Destruction of the false religion, with its idols and its scandals, which was the easiest part of the work, protestantism has done; the reconstruction of true religion is harder; the zeal of iconoclasm is becoming spent; the catholic church offers certainty and unity, powerful attractions then as now to all but the strongest minds.

The council of Trent has stereotyped Roman catholicism in its modern form, the Roman catholicism of Loyola, Suarez, and the tinsel Jesuit fane, not of Anselm or Thomas Aquinas, and the Gothic cathedral. It has drawn between the Tridentine faith and protestantism an impassable line. Rome has repudiated the cardinal doctrine of protestantism, justification by faith. All attempts at reunion or compromise, such as the gentle spirits of Contarini, Pole, and Erasmus made, are at an end. The religious confederation of Christendom is broken up for ever.

Spain is still in the eyes of protestants the great catholic power and the arch enemy of light and truth. But her strength has been sapped by despotism, the Inquisition, the diversion of energy from industry to empire, the drain of widely extended empire itself, monarchism with mendicity in its train, the absorption of wealth by the church, social pride which despised labour, and a false commercial system. She is an enfeebled colossus fast sinking into decrepitude. Little remains of her once towering might but her highly trained infantry, which will hold the field till it is destroyed at Rocroy. She is propped, however, for the present, by her connection with the Empire, held by the other branch of her royal house. France is the rising power. She will soon come into the hands of Richelieu, who will quell her anarchical aristocracy, put an end by a policy of toleration to her domestic wars of religion, make her a centralized monarchy, and in her turn the terror and tyrant of the world. To Spain she is now a rival and hostile power. Thus the house of catholicism is divided against itself. But the house of protestantism is also divided against itself by dissensions between hostile sects, the Lutheran and the Calvinist, to which the exercise of private judgment, untempered by tolerance, has inevitably given birth; while the national church of England, wavering in its character, stands apart from the rest of the Christian world.

Religious zeal begins to cool; policy among the masters of the world is gaining ascendancy as a motive power over religion; the era is one of transition from religious to political and territorial war. Henry IV. of France is above all things a politician, and his victory is for the time that of national interest over that of faction. Riche-



lieu's test will be loyalty, not orthodoxy; cardinal though he is, he will let you go to Mass or to preaching as you please, provided you obey him and the king. He sees in Spain not the bulwark of the true faith, but the power which stands in the way of French aggrandizement. He will not scruple to support protestants against the catholic house of Austria. Heresy is beginning to be persecuted less as theological error than as political disturbance. The settlement of Germany on the principle that the religion of each state is to be determined by its own government betrays a subsidence of the uncompromising struggle for truth.

As a rule, catholicism and despotism, protestantism and political freedom go together. Holland and Switzerland are republics, though Holland has in the Stadtholderate vested in the House of Orange a popular monarchy in reserve which she calls to the front when public danger demands a chief. Scotland is almost an aristocratic republic. In the protestant countries generally the tendency appears, and will in the end, though perhaps after the lapse of centuries, prevail.

England had been confirmed in protestantism by her conflict with Spain and the Jesuits. The most vigorous and progressive element in her above all is protestant to the core. The catholics are still numerous, and count among them some of the nobility; but they are prostrate, and here, where they are weak, they are suffering under the persecution which they inflict wherever they are strong. In the constitution and liturgy of the Anglican church, however, a germ of reaction is left. The episcopate remains and is hierarchical, though for some time in doctrine Calvinist. The religion of compromise which

Elizabeth's government had framed for the nation might have worked well and proved a triumph of statesmanship if in religious belief, as well as in politics, compromise had place. It might hold in a time of suspended thought, while the soul of the nation was in the struggle with foes abroad. But when in each of the two sections life awoke, the Puritan parted company with the Anglo-Catholic, and a fight between them for the national church began. By the primates Whitgift and Bancroft, especially by Bancroft, to whom modern high churchmanship looks back as its historic leader, the crozier was uplifted once more. Sacerdotalism, sacramentalism, and ritualism began to creep back under the cover of ambiguous formularies and names. Calvinism, which makes the relation between God and each man direct, began to give way to Arminianism or the doctrine of free-will, which lets in the mediation of the church. Hooker, in his famous treatise, gave Anglicanism a body, and a body highly attractive to liberal and cultivated minds. If in the "Ecclesiastical Polity" high churchmanship is not directly preached, it is with all the more subtle potency instilled, as in our day

1664  
*circ.*

1592-  
1597

1863

Keble felt when, as an apostle of Neo-Catholicism, he re-edited Hooker. The forms of the churches themselves made and have continued in our own day to make for the high church party. They were built for sacramental worship; while the charm of their medieval beauty lures to the ancient faith. On the other hand, the Puritan, offended and alarmed by the revival of hierarchy and ritual, recoiled further than ever from catholicism and insisted that the church should be cleansed of its last traces. Identifying Arminianism with catholicism he became more intensely Calvinist than ever, and

more than ever insisted on the directness of the relation between God and the individual man. The catholics had on their side tradition, order and reverence. The Puritan had his open Bible and, within biblical limits, his allegiance to the sovereignty of truth.

Political party, if it was not identical with religious party, followed largely the same lines. Severed from the Roman centre of ecclesiastical authority, the Anglican priesthood had no support but the throne, to which it clung with a loyalty often servile, giving to the king, as its head, in fact, more than a catholic in the middle ages would have given to the pope. Jesuitism, with a centre of support above monarchies, had preached tyrannicide; Anglicanism, having no centre of support but the monarchy, preached passive obedience and divine right. Loyalty, more than anything taught in the Gospel, became its special mark. The king on his part was not less strongly drawn towards a church which upheld his absolute sovereignty and almost his divinity, of which he was the head, the bishops of which were his creatures, and whose pulpits, organs of opinion before the existence of a press, he could tune to any air that he pleased. The Puritan, independent in spirit and a rebel against ecclesiastical authority, was inclined to republicanism veiled in constitutional drapery, sometimes even to republicanism unveiled.

Monarchy in England was parliamentary and protestant. Yet it failed not to feel its natural bias towards the absolutism of surrounding royalties, and, though less consciously, towards the religion of kings. Pride made it scorn to be less than the mate of the monarchies of France and Spain. But its official protestantism severed



it from the catholic group, deprived it of the sympathy and support of its fellows, and, conflicting with its latent tendencies to catholicism, made its foreign policy fatally incongruous, variable, and weak.

The hour has come of a decisive struggle between the crown and the House of Commons for the sovereign power, which must rest somewhere, and, however it may be self-regulated and self-controlled in its action, cannot really be divided. In theory the crown is sovereign. This, the Commons, in language always fervently loyal, admit, and the kings, when they insist on their sovereignty, are entitled to the benefit of the admission. It was the leader of the opposition who said that parliament was the body, the king the spirit, the breath of their nostrils, and the bond by which they were tied together. But practically the House of Commons is laying its hands upon supreme power. Its engine is command of the supplies, without which, the domains of the crown and its sources of revenue other than parliamentary taxation having been reduced, while the expenditure has been greatly increased, government cannot be carried on.

The House of Commons has by this time thoroughly awakened from its Tudor trance. It represents a landed proprietary, reinforced by purchasers of the dispersed church estates, and including a large number of freehold yeomen, together with the chief burghers of the towns, in whose hands the borough elections mainly are. The labouring masses are unrepresented, but the House roughly represents the enfranchised and political nation. If local magnates exert a commanding influence in elections, even for boroughs, they must in some measure

consult the wishes of constituencies so sturdy and strong. The House has studied its own archives and learned what its powers and privileges had been under Lancastrian kings. Among its members are lawyers not a few, representatives of a powerful profession, experts in constitutional as well as in general law. Already in Elizabeth's reign it had asserted, and partly made good, in spite of the queen's jealousy and rebukes, its right of dealing with the highest questions both of state and church. The queen, who would gladly have ruled without it, and strove by parsimony to keep herself independent of its grants, was compelled by her perils to lean upon it, and to fence with its growing pretensions rather than to put them down. It has acquired a certain degree of corporate consciousness and persistency of aim. It is finding regular leaders devoted to parliamentary life and qualified to wrestle with the ministers of the crown, to whom hitherto statesmanship has been confined. Influence in the elections to it has become a paramount object of the crown, some of whose ministers, Bacon among the number, take seats in the Commons as managers for the court. The petty 1584 boroughs which are created as seats for court nominees, and of which in Cornwall there is a large group, become the parliamentary nuisance and scandal of after times.

We must be just to the monarchists. The government of an enlightened and patriotic king might even to a liberal mind seem better than that of a popular assembly convened at irregular intervals, containing much ignorance and prejudice, sometimes largely composed of new and inexperienced members, uninstructed as yet by a political press, ill-informed about foreign affairs, apt to be carried away by sudden impulse or clamour, and decid-

ing all questions by a majority apt to be factious, without the safeguard of personal responsibility. The ideal of Bacon, the great political philosopher, as well as the great natural philosopher of the day, was a patriotic monarchy informed and advised by a loyal parliament, with judges who were not to be the parliament's interpreters, but as lions supporting the throne. For this plan there might have been something to say if Bacon could have named the king, though to the body of the nation autocracy, however ideal, denies political life.

Neither party, it must be borne in mind, was free from the fallacy of church establishment. Both alike believed in the necessity of a national church, in the duty of the subject to conform, and in that of the ruler to enforce conformity. Political government in the hands of both alike was entangled with the alien work of regulating religious belief and worship. Both parties in turn persecuted, though in a proportion inverse to their Christianity, and with a growing tendency on the part of the more Christian of the two to toleration and ultimately to liberty. Only on the minds of a few lonely thinkers or hunted sectaries had the idea of religious liberty as yet dawned. The Presbyterian, with his Old Testament notions of national orthodoxy and with his hatred of idolatry, which he imputed to the Roman catholics, was a persecutor second in fanaticism only to the Roman catholics themselves. Cartwright, the leading Presbyterian of Elizabeth's reign, was ready to burn heretics.

James I. of England and VI. of Scotland, set by the chance of hereditary succession to play the part of king at this crisis, is the butt of history as a learned fool fancy-



ing himself the Solomon of kingcraft. His learning, which was real, and which he owed to the tuition of Buchanan, did him no harm, though he made absurd displays of it, and was not saved by it from abject belief in witchcraft. It enabled him to enter into the ideas of Bacon. Perhaps its influence in raising him above vulgar passions had something to do with the policy of peace, which was his best point as a ruler. Nor was he by any means devoid of Scotch shrewdness or of native humour. He often said wise things, if he seldom did them. He was kind-hearted, good-tempered, and, as a private man, would have most likely shambled through life an amiable though laughable pedant. But he was thoroughly weak, and destiny brought him to show his weakness on a throne, where it led him into public acts of folly, sometimes into public crimes. He was in his mother's womb when Rizzio was torn by murderers from her arms. His figure was unkingly, his gait unsteady, his tongue too large for his mouth. His Scotch accent, which now would be not unpleasing, then grated on English ears, reminding a proud and prejudiced race that he was a stranger. To his natural grotesqueness he added that of a dress ridiculously stuffed and padded. He was awkward and ungainly in all that he did. Devoted to hunting, he had a loose seat on horseback, and we behold him tilted out of his saddle into the New River, with nothing to be seen of him but his boots. James meant no evil. He meant some good, and he has had hard measure compared with the strong and brilliant enemies of mankind. Vanity was his ruling passion; to display the kingcraft on which he comically prided himself was his great delight; he was far from being by nature a tyrant; he had

formed no deliberate schemes of usurpation ; probably he doted on the forms and names fully as much as on the substance and the exercise of power.

For the government of a constitutional kingdom and of a race generally law-abiding, James's training had been bad. In Scotland he had feebly wrestled with the lawless violence of the Scotch nobles on one hand, and with the theocratic pretensions of the ministry on the other. He had been told when rude treatment had drawn tears from his eyes that it was better that children should weep than bearded men. He was not likely to  
1600 forget the day of the Gowrie conspiracy, on which, lured by a feigned tale of treasure trove into a lonely chamber of a Scotch nobleman's castle, he found himself suddenly collared by his host, and if his cries had not just in time been heard, would probably have been abducted if not murdered. His ideas of justice were such as prevailed on the Scotch border. On the threshold of his new kingdom he shocked English legality by ordering a cutpurse to be hanged without trial.

A fatal part of James's weakness was his addiction to favourites, whom he chose for their good looks and for the lively spirits which accompany robustness and in which he was himself wanting. In Scotland he had fallen into the arms of a handsome and engaging scoundrel named Stewart, whom he made Earl of Arran, and  
1580 who disgraced him by rapacity and outrage. In England he fell into the arms of Carr, a young Scotch adventurer,  
1615 whom he made Earl of Somerset, and afterwards of Villiers, a young English adventurer, who was created Earl and then Duke of Buckingham. These youths he made not only his companions, but his ministers, putting

his patronage, himself, and the state into their hands. But during the early part of his reign the king had an able, experienced, and most industrious prime minister in Robert Cecil, Earl of Salisbury, the second son of Burghley, and a legacy from the council of Elizabeth, whose unremitting toil, both in diplomacy and finance, partly countervailed the folly and wastefulness of the court. A strange light is thrown on the public morality of the age when we find that this conscientious servant of the crown, for such he must certainly be held to have been, was a secret pensioner of Spain. When, worn out by toil and anxiety, Cecil died, the favourite reigned supreme. It was a period at which royalty, no longer, as in the middle ages, leading armies, toiling in council, or administering justice in person, was inclined to withdraw behind the curtain of its harem and cast the burden of government on a vizier. But Richelieu and Mazarin were statesmen, and even the Spanish Lerma, Olivares, and Lewis de Haro were statesmen of a lower kind, not favourites like Somerset or the youthful Buckingham.

1603-  
1612

1612

There was another man at James's side, one whose large mind had formed plans for the establishment of a monarchy on a throne of light, for the union of Scotland with England, for the civilization of Ireland, for the liberal reform of the law, for the pacification of the church by a policy of comprehension, for the extension of England by colonization. He had a king not incapable of understanding him. What was it that prevented Bacon from grasping power, that caused him to be, as plainly he was, somewhat lightly esteemed by the masters of the state, and at last abandoned by them to impeachment and disgrace? To men of business like Cecil, he



probably seemed too much of a philosopher. But the assiduous scheming and craving for court favour which led him to such compliances as prosecuting his benefactor Essex, taking part in the illegal torture of Peacham, offering the incense of adulation to Somerset and his vile wife, and acting as the king's tool in the case of the Overbury trial, could hardly fail to lower him even in the eyes of those to whom he cringed. He rose to the highest place in the law, but instead of realizing his political ideal, and being the prime minister of a Solomon, he was condemned to be a flatterer of James Stuart and the courtier of Somerset and Buckingham. Yet his political philosophy lives. It has in it an element which is valuable for all times.

James had been bred in Scotland a strict Calvinist and had written a treatise to prove that the pope was Anti-Christ. But he had been crossed, browbeaten, and bored by the theocratic preachers of his native land. They had set their spiritual power against his royalty. When he questioned their authority at a conference, Melville, their leader, seized him by the sleeve and, calling him "God's silly vassal," told him that there were two kings and two kingdoms in Scotland, that Christ Jesus was a King, and king James was his subject, that Christ's kingdom was the church, of which king James was not a king, nor a lord, nor a head, but a member, and that they whom Christ had called and commanded to watch over the church and govern that spiritual kingdom had of him authority and power which no Christian king or prince could control, but which it was their duty to fortify and assist. Such was the style of these heroic but too high-aspiring men, who demanded that the church, of which they were the leaders and the soul, should be above

secular law and rule in all things which they thought fit to regard as pertaining not to Cæsar but to God. It was papal theocracy recurring in another form, though tempered by the democratic character of the Scotch church. James had striven to put the preachers down, and had been helped by the jealousy of the lay nobles. The great fact that the bishop was the only true friend of the king had dawned on his philosophic mind. "No bishop no king," was thenceforward his motto. As king of England he threw himself at once into the arms of the hierarchy. A deputation of the puritan clergy came to him at Hampton Court with a petition called, from the reputed number of signatures, the Millenary Petition, praying for the abolition of forms and customs such as the sign of the cross in baptism, the use of the ring in marriage, the private baptism of infants in danger of death, the compulsory use of the cap and surplice, and the communion without sermon or previous examination, things which, though trivial in themselves, they not without reason regarded as symbols of Roman catholicism and warrants for reaction. They demanded also the discontinuance of lessons from the Apocrypha, which had no sanction but that of the church. They demanded liberty of work on church holidays, and at the same time the strict observance of what they regarded as the Sabbath. They demanded the erasure from the liturgy of equivocal terms, such as that of "priest," the use of which instead of the Gospel word "presbyter" has, in fact, produced momentous effects. The king, to whom the very name of presbyter was a bugbear, refused their prayer in terms grossly insulting, and was told by the bishops that he had spoken by the inspiration of God. The primate fell on his knees and,

with good reason, thanked God for having sent them such a king. James enforced strict conformity, and many puritan clergymen gave up their livings. Ten of those who had signed the Millenary Petition were imprisoned. In justice let it be remembered that the framers of the petition also insisted upon conformity, and on the suppression of opinions deemed heresies by them. Neither side was for liberty, though it was from Puritanism that liberty had most to hope. James afterwards went to Scotland, and, with the help of an aristocracy always  
 1617 jealous of the ministers, restored episcopacy, though weak and unmitred, there. Ritual he would fain have restored, but the resistance was too strong. One fruit the Hampton conference bore. It led to the preparation,  
 1611 under the king's auspices, of that revised version of the Bible, which, like the dramas of Shakespeare, and more than Shakespeare's dramas, has united all who speak the English tongue, and by its influence on character, public as well as private, claims a leading place, not only in religious and intellectual, but in political history.

If "No bishop no king" was henceforth the motto of the monarchy, the responsive motto of the hierarchy was  
 1606 "No king no bishop." In 1606 the clergy in convocation drew up a set of canons embodying the absolutist creed, declaring the origin of government patriarchal, proclaiming kingship with its prerogatives a birthright, affirming passive obedience to be due in all cases, without exception, to the king, and pronouncing anathemas on all dissenters. Dr. Cowell, an ecclesiastical lawyer,  
 1607 presently followed with his law dictionary, laying it down that the king, by his absolute power, was above the law; that if he admitted parliament to a share in



legislation it was of his mere benignity; that he might alter the law at his discretion, and was himself not bound by it. That the king, after granting the subject laws and liberties, retained a reserve of absolute power, was the fundamental assumption of the party of prerogative, and, as has been said, might derive colour from the form of the Great Charter, which is a grant by the king. Dr. Cowell's manifesto, however, raised a storm; the House of Commons took his law dictionary in hand, and it was suppressed by proclamation. Of the high church hierarchs Andrewes alone is known to have preserved something of his Christian dignity and independence. As he and Bishop Neile stood behind the king's chair at dinner, James asked them whether he could not take his subjects' money when he wanted it without all that formality in parliament. "God forbid, Sir, but you should," said Neile; "you are the breath of our nostrils." Andrewes replied at first that he had no skill for parliamentary cases, but being pressed, "Then, Sir," said he, "I think it lawful for you to take my brother Neile's money, because he offers it." 1610

To the catholics James, in spite of his anti-papal treatise, was inclined to show favour. It was their divided allegiance rather than their erroneous faith that he abhorred. As a candidate for the succession to the crown he had courted their support, and even the support of their head, in a way which showed that he deemed them powerful as a party. They now lay under the harrow of a cruel penal law. Celebration of the Mass was death; recusancy, that is, failure to attend the established worship, was fine and forfeiture. James was disposed to toleration; not indisposed even to reunion

on certain terms with the church which was that of his brother monarchs and to which his queen was believed secretly to incline. The part of mediator and peacemaker was always to his mind. He cherished the fancy that if he could get rid of the priests and the Jesuits the lay catholics would be loyal and conform. Of the priests and Jesuits he never would have got rid. In many of the old manor houses of England there are secret closets behind chimneys or movable panels, with concealed apertures for the introduction of food, in which the priest or Jesuit once was hidden while he stole from one mansion to another at the risk of his life, celebrating the Mass, keeping alive the flame of catholic zeal, and not seldom weaving catholic conspiracy. Banished under whatever penalties, he would have found his way back into heretic England in spite of the gallows and the quartering knife, as in heathen lands he found his way to the souls which he wished to save in spite of the tomahawks of the Iroquois. But James could not enter on the path of concession without awakening the alarm and wrath of a nation which had learned to regard English catholicism as the vanguard of its foreign enemies, ever ready to rise at their call, and held down only by the penal law. He was scared, too, by the discovery of an abortive plot against his succession to the throne; while his courtiers, if not his own exchequer, hungered for the fines. The  
1604 penal laws were put in force, and more than five thousand convictions of recusancy followed.

This increased the excitement among the catholics, which the uncertainties of the succession to the crown and the gleam of hope for a catholic dynasty had bred. There were two kinds of catholics, although the nation,

blind with hatred and fear, failed to distinguish them from each other. There were catholics of the old school, survivors of the church of the middle ages, who, while they claved to the ancient faith, were more Englishmen than catholics, and had nobly shown it when their country was threatened by the Armada. Catholicism of this stamp lingered long in the old families of England. It lingered to the day, midway in the present century, on which the Duke of Norfolk, the head of the old catholic nobility, renounced Roman catholicism in patriotic disgust at Papal Aggression. But there were catholics of another school, like the Ultramontanes of the present day, more papal than English, pupils of the Jesuit, and ready to join the papal invader against the country. Among these was formed a conspiracy for blowing up the two Houses of Parliament, the vengeful memory of which, reawakened on each Guy Fawkes' day almost to our own time, long helped to put off the liberation of the catholics from the fetters of the penal law. The desperado who led the conspiracy and gave it his name was a hero in his evil way. He kept his post as watchman at the mine even when the secret had been betrayed, and he held out against the torture till his frame had been so shattered that he could scarcely sign his name. One Jesuit, Garnett, suffered for complicity in the plot; he had the Jesuit treatise on equivocation in his hands. Other Jesuits were in the background. Unlike most of the catholic plots, this was well laid. Nothing but the desire of the conspirators to save the catholic lords who, exempted by their rank from the common lot of their communion, retained their seats in parliament, averted a catastrophe which would have ranked with the St. Bar-



tholomew. The comrades of Guy Fawkes lacked the thorough-going zeal and faith of that exterminator of the Albigenses, who, when heretics and catholics had become indistinguishably mixed together, cried, "Kill them all and God will know his own." Parliament, however, would have lived and would have set a son of James upon a fiercely protestant throne. The immediate result would probably have been a massacre of the catholics. There followed inevitably a fierce renewal of panic hatred and an increase of severity in the application of the penal laws. Now, too, to the test of attendance at established worship was added that of reception of the sacrament at the hands of a state clergyman, a hideous profanation of the rite of Christian love. As often as the court is suspected of lenity to catholicism, or of leaning towards it, the cause of freedom is traduced and dishonoured by horrible calls from parliament for the execution of priests. These, be it remembered, were the days, not of the Prisoner of the Vatican, with his spent thunderbolts and his harmless allocutions, but of the St. Bartholomew, the Armada, the persecution in the Netherlands, the assassinations of William the Silent and Henry IV., the Babington Conspiracy, and the Gunpowder Plot. The assassination of Henry IV., with Jesuitism if not Jesuits again in the background, intensified the panic rage which the Gunpowder Plot had raised. The English catholics suffered in a still further sharpening of the edge of the penal laws for the crimes of a European party to which only one section of them, and that the smallest, really belonged.

The field of decisive battle for the supreme power was sure to be finance. Could the king find means of carrying on his government without coming to parliament for

supplies? If he could, he was the master. Parliament met only at his pleasure, and by his will it could at any time be dissolved. The country was at this time prosperous, its wealth was increasing, and there was no danger of general disaffection. It was barely possible that by avoiding war and observing strict frugality, James might have lived of his own. He had the estates of the crown with wardships, escheats, and fines, and other non-parliamentary resources, including the sale of peerages, payments for which were entered in the books of the exchequer, and of baronetcies, a new order of hereditary half-nobility invented for a financial purpose. He had regular import duties, tonnage and poundage, granted by parliament at the commencement of each reign, and the product of which was increasing with the trade of the country. To keep out of war James was well inclined. But frugal it was not in him to be. He persisted in squandering money on plate and jewels. He was too good-natured to say nay to greedy favourites and courtiers. He flung twenty-thousand pounds at once to Scotch parasites, who as foreign interlopers were odious to the nation, receiving no service in return. He gave away the estates of the crown, and when, conscious of his own weakness, he tried to tie his own hands by entailing the estates, the courtiers, instead of asking for land, asked for cash and obtained it. To add to his embarrassments he had inherited a debt from the last reign, and in England funding was not then known. 1611

At least as important, however, as political or financial reform in the eyes of the Commons was the defence of protestantism in the church. Non-conformity, such as that of the Brownists, had ceased to exist or was going

into religious exile. The struggle was now against clerical reaction and episcopal usurpation within the establishment. Of the House of Commons two-thirds were Puritans, that is, thorough-going protestants of the Calvinist persuasion, and though not opposed to a moderate episcopacy, were suspected by the king of Presbyterian leanings and of seeking to introduce "their confused form of polity and parity, being ever discontented with the present government and impatient to suffer any superiority, which maketh that sect unable to be suffered in any well-formed commonwealth." The king and the episcopate, as was natural, drew ever closer to each other, the king inclining to high churchmanship, the bishops exalting the prerogative by which their order was upheld and sheltered. Thus with the struggle for political liberty and self-taxation was blended the struggle about church doctrine, ritual, and government. The Gunpowder Plot and the assassination of Henry IV. seem to have sickened James of catholicism for the time. Upon the death of  
1610 the high church primate Bancroft, he made Abbot, a staunch Calvinist and a rather narrow Puritan, archbishop. He seems indeed himself to have remained a Calvinist. In exercise of his authority as head of the church he sent deputies to uphold Calvinistic orthodoxy  
1618- against the Arminian heresy at the Synod of Dort. But  
1619 he was thoroughly convinced of the truth of his own doctrine, "No bishop no king." His orthodoxy he displayed while he fearfully belied his humanity by burning two heretics, against whose murder no parliamentary enemy of Rome or friend of freedom raised his voice.

The House of Lords plays in some measure the part of a buffer between the crown and the Commons. The



Lords are not, like the Commons, Puritan. They propose Sunday for a conference with the Commons, who reply that they cannot do business on the Sabbath. Among them are some catholics. They are, of course, not democratic. But they have never recovered their feudal powers. They are no longer territorial potentates or leaders of the national force. They are simply persons of quality with large estates, to whose titles social, to whose domains local, influence is attached. The crown is the fountain of their honours. Some of them have paid round sums to make the fountain flow. Frequenting the court, they feel its influence. On the other hand, the secure possession of their rank, their wealth, and their places in parliament, gives them a large measure of independence. Some of the wealthiest of them are bound to the protestant cause by their title-deeds, while, as grandees, regarding the high places of the state as their own, they all look with jealousy on the ascendancy of ecclesiastics. The lords spiritual vote with the crown.

At the meeting of parliament, in 1604, the king put forward a claim to having disputed returns decided not by the House but in his court of chancery. This might have enabled the crown, with a servile chancellor, to pack parliament. The claim was resisted and the right of the House of Commons to be judge of its own election cases, essential to its independence, was maintained. 1604

The contest between the crown and the Commons opened with an attack of the Commons on the abuse of the feudal perquisites of the crown, wardship and purveyance. Wardships were obsolete as well as vexatious. Fiefs being no longer local offices, administrative, military, and judicial, but mere estates, there was no longer

any reason why this, more than property of any other kind, should be taken into the hands of the crown during the minority of the heir. The monarchy being no longer itinerant, as in the middle ages, but having a fixed seat and constant access to fair markets, the reason for purveyance as well as that for wardship belonged to the past. Both had become instruments of royal extortion, while of the gains, in the case of purveyance at least, more went to roguish underlings than to the king. But the first pitched battle was fought on the question of the Impositions, that is, the claim of the crown in exercise of its prerogative, without the sanction of parliament, to impose duties on merchandise brought into the kingdom. It was on its guardianship of the seas, certainly no superfluous service in those days, that the claim of the crown was founded. Bate was the patriot who, by resisting an Imposition on his currants, played the part of a forerunner of Hampden. The case having been brought before the courts, the judges decided in favour of the crown, which continued to levy the Impositions. Reasons have been given by a high authority for believing that their judgment was not bad law, at least that they might have believed it to be good. The question turned on the construction of a medieval statute, which, after the manner of those times, redressed the immediate grievance without laying down any broad principle. The decision of the judges in favour of an arbitrary impost was perhaps not so much illegal as it was unconstitutional, that is, against the spirit of English institutions, which condemned arbitrary taxation, and counter to the political progress of the nation.

In the minds of the parties to this controversy, how-

ever, the legal and the constitutional were much the same. Both king and Commons took their stand on the letter of the law. They appealed not to the rights of man or any abstract principle, but to the statute book, the law reports, the note-books of the judges. The arsenal of constitutional patriotism was the library of Cotton the antiquarian. A member, perhaps, says a bold thing about the elective origin of hereditary monarchy and the reciprocal duties of king and people, but his words are a flash of rhetoric in debate. There is a suggestion of something like the theory of social contract, but no action is really founded on it. Early in the reign, and again in 1604 a more memorable form towards the close, comes up the 1621 question whether the privileges of the Commons are the gift of the king or their own inalienable heritage. This is the nearest approach to an issue of abstract principle. Of wresting supreme power out of the hands of the king and making the government republican, the Commons never dreamed. They recognize in the king "their sovereign lord and governor," while they are in fact transferring sovereignty and supremacy to themselves. It has been often and truly said that this attachment to legal precedent is the characteristic of the English constitution, and with equal truth it is said that it deserves the praise bestowed on it only in so far as the reformers believed in the intrinsic wisdom and justice of the old law. It has the advantage of leading reformers to content themselves with repairing their own house and letting their good example do its work, instead of undertaking to rebuild the world, and bringing on a crash of world-wide ruin in the attempt.

In a political struggle which observed legal precedent,



great power was given to the judges, who became in a measure arbiters of the constitution. The judges at this time were not only appointed by the crown but removable at its pleasure, though none of them had been removed for political reasons since the beginning of Elizabeth's reign. They were not without a measure of independence. They worshipped the common law. They would have regard for the opinion of their profession. Perhaps they also felt the rising tide of national opinion. They had, however, also a devout respect for prerogative as a reserve power which, after all grants of liberty to the subject, remained inalienably in the crown.

1610 Cecil's wisdom planned a contract between the crown and the nation under which the crown would have redressed grievances by giving up wardships and purveyance, arbitrary impositions on merchandise, and other vexatious perquisites, while the nation would have paid the king's debt and assured him of a sufficient revenue for the future. But the scheme failed, not only because it was hard to agree about the money terms, but because the Commons persisted in including ecclesiastical abuses among the grievances to be redressed. Entanglement of religion with politics is the ever-present and ever-pernicious consequence of the identification of the church with the state.

The contract having miscarried and its author being in his grave, the deficit grew and the financial embarrassments of the crown became desperate. Sales of crown lands, notwithstanding the entail, sales of peerages and baronetcies, exaction of the star chamber fines, payment of an old debt by France and of war debts by the Dutch, failed to fill the gulf in the exchequer. The

crown had to go a-begging, a masterful mendicant, for gifts and loans. Little was put by an angry and Puritanical nation into the plate, and the king was forced again to call a parliament.

The parliamentary election of 1614 has been noted 1614 as a regular battle on a great question between government and opposition. The government exerted its influence to the utmost. It had a number of nomination boroughs, owing their existence to its ancient prerogative, but elsewhere many of its candidates were rejected. The electors asserted their independence, and the government reaped from its attempt to control them only the odium of baffled interference. Public feeling seems partly to have overpowered even the influence of the local magnates. Three hundred new members were elected, and it is reasonably conjectured that among these were the resolute reformers of the day. Many of the number would be country gentlemen trained in county business and government. Among them were two men destined to be memorable in different ways; a rich young Yorkshire baronet, Sir Thomas Wentworth, afterwards Lord Strafford, and John Pym, a Somersetshire gentleman who had evidently fitted himself for public life, and whose guiding principle was that the best form of government is that "which doth actuate and dispose every part and member of the state to the common good."

The House of Commons showed its Puritanism by going in a body to receive the communion at St. Margaret's church, avoiding Westminster Abbey for fear of "copes and wafer cakes." James, in the speech from the throne, announced that the parliament was to be a

parliament of love, of the king's love for his subjects and the love of the subjects for their king. But the morning of love was clouded by the angry question of precedence between the redress of grievances and supplies. To the grievance of Impositions, which did not fail to reappear, was added that of monopolies and that of "undertaking," that is, conspiring to tamper with the independence of members of parliament in the interest of the crown. On the subject of the Impositions the Commons tried to carry the Lords with them, and requested a conference for that purpose. The Lords refused, though by only a majority of about forty to thirty, sixteen of the majority being bishops. Then Bishop Neile, the most hateful of ecclesiastical sycophants, brought on, by vilifying the Commons, a tornado from which the government could escape only by dissolution. Not a single bill passed; the  
1614 parliament of love ended as the "Addled Parliament."

1614 Again the king had to fall back upon benevolences wrung with difficulty from disaffected hands, impositions on merchandise, star chamber fines, sale of crown lands, sale of patents of monopoly, of peerages, of baronetcies, of offices of state; and still, with the lavishness of the court and the favourites, deficits and debt grew.

The court was recklessly extravagant, and the courtiers emulated the king. The favourite freak of one of them, Hay, was the double supper, a sumptuous array of cold meats, whisked away and replaced by hot dishes. But to waste was added debauchery, shocking not only to Puritan austerity, which looked on with angry eyes, but to common morality and decency, if we may trust a contemporary picture, even with reasonable allowance for caricature. Caricature there probably is in the narrative



of a dramatic entertainment at court, at which ladies, personating the Virtues, are disgustingly drunk. If the king himself was free from intemperance, this did not save the credit of his court. Nor was the venality of the court less notorious than its debauchery. Everybody and everything were for sale.

To debauchery and venality was added crime. There had been a child marriage arranged by family policy between Lord Essex, a son of Elizabeth's unhappy favourite, and Lady Frances Howard. The boy husband was sent to travel on the continent. Meantime his girl wife grew up into a flirt, and when he returned to claim her received him with disgust. Somerset, the king's Scotch favourite, was in love with her, and to make way for his passion, her divorce from Essex was procured on most revolting grounds. Two bishops, the prime sycophant Neile, and, strange to say, the high-church saint Andrewes, sullied themselves by complicity in a job which filled pure hearts with disgust. Somerset then married the divorced wife, and Bacon stooped to court the all-powerful favourite by giving a masque at the wedding. Puritanism in the person of the old Archbishop Abbot stood by and frowned its protest against the unhallowed nuptials, in which the archbishop refused to take a part. Somerset had a dependent and confidant in Sir Thomas Overbury, an adventurer of some brilliancy and mark. Overbury had either opposed the marriage from fear of the lady's influence, or in some other way had made Lady Somerset his enemy. Through her husband, who abused the royal prerogative for the purpose, Lady Somerset got him committed to the Tower, and there, by her emissaries, she 1613  
poisoned him. The murder came to light. The terrible

chief justice Coke took the case in hand. Somerset and his wife were brought to trial before the peers and found guilty, as Lady Somerset undoubtedly was, though the guilt of her husband was more doubtful. Somerset before his trial threatened the king with the disclosure of a secret, and the threat threw the king into an agony of fear. Bacon, who, in the pursuit of his lofty ideal of monarchy, was forced to stoop low in his services to the actual monarch, prepared to have Somerset gagged, muffled, and carried out of court if he began to peach. Somerset, however, did not peach; the secret remains untold to this day; but mystery gave scope for the worst suspicions. Lord and Lady Somerset were reprieved and at last pardoned, while, to illustrate the justice of the day, the minor actors in the tragedy, not being persons of quality, went to the gallows.

Somerset departed only to give place to another favourite, and, for the public weal, a worse. This was George Villiers, soon created Duke of Buckingham, a youth commended to the fatuous king by the same comeliness and sprightliness which had made the fortune of Somerset. From a place in the king's bed-chamber he leapt at once to the height of power, with the disposal of all the patronage of the crown, bringing with him a train of grasping relatives and dependents. Somerset had been little more than a minion. He was greedy but not ambitious, nor, except by the scandal of his elevation, dangerous to the state. He left the administration pretty much in the hands of the trained officials, men of the class of Neville, Winwood, Wotton, Lake, and Cranfield, who, if they were not statesmen, were administrators, and saved the government from confusion. "But Buckingham was

of a different stamp from Somerset. He was no mere minion, but a dangerous man, brilliant, ambitious, vain-glorious, impulsive, and passionate, with just capacity enough to go splendidly astray, and destined to guide the monarchy to ruin. His insolence went the length of telling an important personage to his face that he was his enemy, and would do him all the harm he could. The king he treated with impudent familiarity. His influence over James was unbounded. It is henceforth he who reigns. Bacon once more worshipped the rising sun, and tried to instil political wisdom into the youthful master of the state.

The king was now preparing for himself a fresh cause of unpopularity and of embroilment with the Puritan Commons by drawing near, in his foreign policy, to Spain. Secretly and perhaps unconsciously sympathizing with catholicism, at least in its political aspect, he would also be attracted by his vanity towards the grand monarchy which Spain still seemed to be. The thought of a matrimonial alliance was already rising in his mind. Spain sent to England as her ambassador a consummate diplomatist, the Count of Gondomar, who could wind 1617 James round his finger and lacked, for complete success, only the power of understanding free institutions and the character of a free people. A sad proof of Spanish influence was the judicial murder of the last of the Elizabethan heroes, Sir Walter Raleigh. With Raleigh, as 1618 with the rest of his group, enmity to Spain was a religion. At the time of the demise of the crown, his restless and scheming spirit, it seems, had dallied with an embryo plot for putting forward the claim of Arabella Stuart, whom, though she lacked primogeniture, some preferred



as a native of England to James, who was an alien. For this, Cecil, being his enemy, he had been arraigned, and had been convicted on the worthless testimony of a treacherous knave, after a trial which exceeded the usual iniquity and brutality of state trials; Coke, the attorney-general, breaking all the laws, not only of evidence, but of decency, calling the illustrious accused a monster, a viper, a spider of hell, and saying that he, the life-long foe of Spain, had a Spanish heart. Raleigh's glory, however, shielded him for a time, though, as a restless schemer and a reputed atheist, he was far from being a public favourite. He was reprieved, and instead of being sent to the block he was sent to the Tower, where this eagle was mewed up for twelve years, faintly consoling himself for the loss of action and the sea by writing history. At last he prevailed upon James, by the lure of gain, to let him make an expedition to a gold mine in Guiana, pledging himself not to fall foul of the Spaniards. Of the Spaniards, however, he did fall foul. On his return, foiled and empty-handed, Spain demanded his head, and the wretched king yielded to her demand. Raleigh was beheaded under his old sentence, though, besides the lapse of time, he had since borne the commission of the king. He met death like a man who had fought the Armada, and like one of a group which singularly blended culture and poetry with action. On the night before his execution he wrote a poetical farewell to life:—

Even such is time, that takes on trust  
 Our youth, our joys, our all we have,  
 And pays us but with age and dust;  
 Who in the dark and silent grave,

When we have wandered all our ways,  
Shuts up the story of our days!  
But from this earth, this grave, this dust,  
The Lord shall raise me up, I trust!

These lines are the death-song of the Elizabethan era. They ring down the curtain on a memorable act in the drama of Humanity.

There had been one near the throne who felt for the hero, and who, when the eagle was caged, longed to set it free. The only chance of averting, or at least of delaying, the mortal duel between king and parliament was the accession of a king like Edward I., so formed by nature that his heart would beat in unison with that of his people and his aims and policy would be theirs. Prince Henry, the eldest son of James I., seemed likely to be such a king. He was a high-spirited boy, with popular tastes and sympathies. He took a lively interest in ships and ship-building; was the darling and hope of the nation, and, while he lived, a safeguard to an unpopular throne. But he died at nineteen, and the anguish of the nation expressed itself in hideous whispers of poisoning by the hated favourite, or even by the king. Henry's death made way for Charles, whose name is the knell of doom. 1612

James was not cruel by nature, rather he was kind; but suspicion, perhaps, since the Gunpowder Plot had made him capable of cruelty. The manuscript of a sermon against him and his government was found in the study of Peacham, a minister in Somersetshire. Though the sermon was probably never intended for publication, its luckless author was absurdly accused of compassing the king's death. He was arrested and put to the rack, 1615

Bacon being present at the process. When brought to trial, he was, as a matter of course, found guilty, and escaped hanging, drawing, and quartering only by dying in prison. The reviving spirit of the House of Commons had not yet reached the juries, and in state trials the crown still enjoyed almost a Tudor license of iniquity.

1603 The next incident in the battle of the constitution was a blow struck by the king at the independence of the judiciary in the person of chief justice Coke. This man, who had so basely and brutally served the crown in the trial of Raleigh, was nevertheless proud, intractable, and devoted with a martyr constancy to his idol, the common law, of the somewhat barbarous learning of which he was a prodigy, almost a monster. He was, besides, a deadly enemy of Bacon as well as of Bacon's philosophic jurisprudence, and by no means minded to be a lion under Solomon's throne. His personal independence was secured by a great fortune gained partly through a wealthy marriage, a speculation which, after the death of his first wife, he repeated with calamitous results. Side by side with the struggle for supremacy between the king and parliament, and in connection with the high church movement, had been going on a contest between the lay and ecclesiastical courts, the ecclesiastical courts striving to make their jurisdiction independent and to regain their dominion over the spiritual realm, the lay courts putting in their injunctions and strenuously disputing the ground. The king favoured the ecclesiastics, who were on his side and under his control. Coke was a resolute champion of the lay jurisdiction. This first brought him into collision with the court. Afterwards,



in the Peacham case, the crown, knowing that the legality of its course was doubtful, solicited the judges of the king's bench to give their opinion beforehand on the point of law. Coke replied that such particular and auricular taking of opinions was not according to the custom of the realm. The dispute with Bacon on the Peacham case was followed by a dispute with lord chancellor Ellesmere, another enemy of Coke, about the relative jurisdictions of the common law courts and the court of chancery. The tendency of chancery, by a more rational and liberal system, to draw causes to itself and carve out a rival domain, was watched with jealous eyes by the liegemen of the common law. Chancery being the more cognate to prerogative, the king was with his chancellor and against Coke. At last, in a case relating to a grant by the crown of a benefice to a bishop in *commendam*, the prerogative was put in issue. The king ordered the judges to stay proceedings. At first the judges, led by Coke, showed a bold front, refused to take legal notice of the royal letters addressed to them, and declared it their duty to hear the cause. Ultimately, the king having browbeaten them in person, and the question being put to them, whether in a case which his majesty conceived to concern himself in honour or profit they would not, if he desired to consult them, stay proceedings, all but Coke succumbed. Coke was first suspended, then dismissed, from his office, and with him independence left the judgment seat. Coke had also, while chief justice, arrested an attempt of the king to usurp legislative power by means of royal proclamations. He laid it down as a principle that no royal proclamation creating a new offence could have the force of law, though

it might give additional force to an existing law, and aggravate an offender's guilt. On this occasion the chancellor complained that if the power for the exercise of which the king contended were taken from him, he would be no more than a Duke of Venice. The comparison has been revived in our own day, and is true to the fact.

The attack on the independence of the judiciary was followed by an attack on the independence of the press in the interest of the king's clerical allies. What the political and social philosophy of Montesquieu or Rousseau was to the French, the immense erudition of John Selden, jurist and antiquary, was to the English revolution. Selden embodied that assertion of the supremacy of the civil over the ecclesiastical power which was the special characteristic of the English Reformation. He wrote a treatise on the history of tithe, plainly, though obliquely, showing that it was of human, not of divine institution, and consequently subject to human legislation. This was alarming to the high church clergy, who had too good reason to know that possessions of the church subject to human legislation would be precarious. Selden was summoned before the court of high commission and compelled to make what was in fact a degrading retraction. The sale of his book was prohibited, and when his adversaries, taking advantage of his silence, published answers to him, he was forbidden to reply. This was the way to drive discontent inwards to the vitals of the body politic, and in the end to raise up Miltons with their Areopagitic thunder against the killing of a good book as the killing of reason itself.

Monopolies form the next field of battle. Monopolies of foreign trade were not unreasonable when peace was hardly known upon the sea, when piracy was rife, and when, there being no royal navy, or none effective for the protection of commerce, a distant trade could be carried on only by companies armed for their own defence. Of monopolies of home manufacture some might be justified as patents for inventions before the introduction of a patent law or as control of the materials of war. But others of the odious list had been corruptly created in the interest of the crown and its favourites, or of jobbers, of whom Sir Giles Mompesson, Massinger's "Sir Giles Overreach," was the hated chief, and were mere nuisances and instruments of extortion. From corrupt monopolies the attack extended to corruption in other quarters, and notably in courts of law. When peerages and offices of state were openly sold; when nothing was to be done at court without a fee; when a minister of state could coolly say that an office was worth so much if the holder did not wish to go to heaven, and so much less if he did, the judiciary was not likely to escape contagion. One result of the investigation was a memorable and tragic fall. After a life of laborious climbing, sometimes at the expense of his moral dignity, Bacon had at length reached the summit of his ambition as a lawyer, if not as a politician. His proudest day in his own estimation, though not in the estimation of posterity, was that on which he rode in state to Westminster to be installed as Lord Keeper, with a hundred persons of quality in his train. That such majesty of intellect could stoop to corruption is hard to believe, and apologists have struggled desperately against the fact. But if Bacon was not guilty of corruption, he

1621

1618



was guilty of the worse crime of bearing false witness against his own honour, for he confessed himself guilty and prayed for mercy. Guilty of corruption undoubtedly he was, since he had taken gifts from suitors, not only after judgment, a practice at which the morality of that time might wink, but in one or two cases at least while the suit was pending. Yet was he not corrupt. His fault was rather a careless confidence in his own virtue, which led him not strictly to guard its chastity. Of the heavy sentence passed upon him by the Lords the greater part was remitted, and posterity, bribed by the splendid offerings of his intellect, has blotted out the rest. It was in the months immediately following his condemnation that he wrote his History of Henry VII. He can have had little hold on the king and the favourite or they would have made greater efforts to save him.

The scene presently shifts from domestic politics to diplomacy and war. James had slipped out of the alliance with Holland against Spain, leaving the Dutch to fight by themselves the battle of their emancipation, which, however, had by that time been practically won. To do this he was led not only by his love of peace and his financial difficulties, but by the dislike which he and his high church bishops felt of rebellious traders making war against their anointed king. From peace with Spain he had been sliding into close diplomatic relations and secret alliance. Spain being still the grand monarchy, his vanity was flattered by the association. Yet he was a protestant king, though with catholic as well as absolutist leanings; and his two characters clashed. His daughter Elizabeth, bright and brave, was the darling of protestant hearts, and had married the Calvinist Frederick, Elector Palatine.

Shakespeare's "Tempest," with its inserted masque, had been performed before the court when the German Ferdinand came to bear away his Miranda from the learned Prospero's isle. All protestant sympathies had followed the Electress to her new home. But now broke over Germany the storm of the Thirty Years' War. Ferdinand of Austria mounted the Imperial throne. He was a pupil of the Jesuits, a most devout catholic, had taken before the shrine of Loretto a vow of lifelong enmity to heresy, declared that he would rather reign over a desert than over a land of heretics, and had extirpated protestantism in his hereditary dominions. In his kingdom of Bohemia he and his Jesuit advisers did not fail to come into collision with protestantism, with which here, and not here alone, but in France and Scotland, and perhaps elsewhere, was combined the turbulent ambition of an unbridled aristocracy. Bohemia, the Bohemian nobility at least, rebelled, flung the Emperor's representatives, Martinitz and Slawata, out of the window, deposed Ferdinand, and offered the crown to Frederick, Elector Palatine, by whom, under an evil star, it was accepted. The Elector was totally unequal to the part which he had rashly undertaken. He and his kingdom sank under the Imperial arms, and he lost not only Bohemia but his own principality. English protestantism burst into flame. How fierce was the flame and how befouled with the murky smoke of fanaticism appeared when, for some slighting words about the Elector Palatine and his wife, an aged Roman catholic named Floyd was adjudged by the two Houses of Parliament, acting in disgraceful concert, to be degraded from his gentility, to be deemed infamous, to ride on a horse without a saddle and with his face to the tail, to be pilloried,

branded, whipped, fined five thousand pounds, and imprisoned in Newgate for life; the Lords outvying the Commons in ferocity to show that, though they had been crossing the House of Commons on a question of privilege, they were not behind it in protestant zeal. In this case the Commons, not being a court of justice, were guilty, besides their atrocious cruelty, of usurpation as flagrant as any with which they charged the king. A deplorable impulse was given to persecuting legislation, and Sir John Eliot, a most liberal and noble-minded man, did not hesitate to suggest that the fleets should be fitted out with the fines of recusants. Once more we see how Bacon might object to transferring government from the crown to the House of Commons, whose despotism would have been uncontrolled.

Volunteers streamed from Britain to the field of religious war in Germany, where they found things scarcely corresponding to their imagination; Lutherans, now grown conservative, at variance with Calvinists, in whom still  
1618  
sq. burned the fire of iconoclastic zeal; and protestant leaders like Mansfeld, with their undisciplined and marauding hosts, behaving more like bandits than crusaders; while the Emperor and the Catholic League, of which Maximilian of Bavaria was the political head, had the advantage of representing order and national unity as well as that of more regular armies, and of the generalship of Tilly. The old puritan Archbishop Abbot, thoroughly sharing the protestant enthusiasm of the hour, urged on his king to the holy war in which the whore was to be made desolate, as had been foretold in the Revelation. For a continental war James had no inclination. As little had he the means. The Commons were ready to pass flaming



resolutions devoting their lives and fortunes to the cause; they were ready to shout and to throw up their hats, but they were not ready to support the king with the sums necessary for great armaments, or even to give him a free hand. Of foreign affairs they could know little, nor was their sense of responsibility on a par with their zeal. What he could do in the way of diplomacy he did. But his diplomacy, feeble at best, was perplexed and weakened by his conflicting ties with protestantism on one side and catholic Spain on the other; and the result was a web of inconsistency, vacillation, and futility, the threads of which it is a barren task for our great historian to unwind. The king and the Commons were all the time at cross purposes. What the king wanted was simply to recover the Palatinate for his son-in-law, which he was willing to do with Spanish aid; what the Commons wanted was a protestant, patriotic, and plundering war with Spain. They little calculated the cost, or they expected the capture of Spanish galleons to defray it. The arrogance, vanity, and insane schemes of Buckingham, the all-powerful favourite, worse confounded the confusion.

For a moment the great European cause produced harmony between the king and the Commons. But the intrigue which the king was still carrying on with Spain, and the project of a Spanish marriage for his son which he still cherished, becoming known, soon brought on a renewal of the discord, and in the sequel a violent conflict. The laxity in the enforcement of the penal laws against catholics, which was the necessary consequence of the flirtation with Spain, excited the suspicions, and called forth the fierce remonstrance of the Commons. 1621  
On this occasion the House heard the voice of its destined

leader, and the destined chief of the revolution. John Pym rose to justify the penal laws against the catholics as directed, not against their religion, but against the practices to which their religion bound them, and as intended not to punish them for believing, but to disable them from doing that which they believed they ought to do.

1621 The Commons protested against the Spanish policy and the Spanish marriage. The king bade them not meddle with affairs of state. They asserted their right to be heard. In the wrangle the momentous question as to their tenure of their liberties and privileges, which had been raised early in the reign, was renewed. The king asserted that their liberties and privileges were the gifts of his ancestors and himself; the Commons that they were their birthright. At a late meeting held by candle-light on a December afternoon to forestall an impending adjournment, the Commons passed a resolution which ranks among the great muniments of freedom; — “That the liberties, franchises, privileges, and jurisdictions of parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the arduous and urgent affairs concerning the king, state, and defence of the realm and of the church of England, and the making and maintaining of laws, and redress of grievances, which daily happen within this realm, are proper subjects and matter of counsel and debate in parliament; and that in the handling and proceeding of those businesses every member hath, and of right ought to have, freedom of speech, to propound, treat, reason, and bring to conclusion the same.” A second clause asserts for the Commons the right to perfect freedom of speech. When parliament had been adjourned, James

sent for the journals of the House and tore out the 1621  
impious page with his own hand.

In the course of the conflict twelve members of the Commons went as a deputation to the king at Newmarket. "Bring stools," said James, "for the ambassadors." He showed his insight; for the House which the deputation represented was making itself a sovereign power.

The varied drama of the reign closed with a farcical escapade. The negotiation for the marriage of prince Charles with the Spanish princess hanging fire, the prince took it into his head himself to set off for Madrid with Buckingham *incognito*, and woo the Infanta in person. 1623  
To the old king, who gave his consent to the adventure in an agony of fear, his son and Steenie, as he called Buckingham, seemed worthy to be heroes of a new romance. Such an expedition had in fact more of romance in it then than it would have now, because, in those days, princes who got the person of a rival into their hands were inclined to keep the prize. In a comical scene at Madrid the Spanish Court displayed its preposterous etiquette and its cunning, Buckingham his insolence, and Charles the moral feebleness which was to be his ruin. Buckingham filled the Spaniard with horror by sitting in presence of the prince in his dressing gown without his breeches, turning his back on royalty, and staring at the sacred Infanta. Charles and his father were near being betrayed into promises of illegal concessions to catholicism in England, which would have degraded and imperilled the throne. Thanks partly to Buckingham's unmannerly pride the negotiation came to nothing, and to the great joy of protestant England Charles returned without his Spanish bride. Then en- 1623



1624 sued rupture and war with Spain. Middlesex, the lord treasurer, still clung to the Spanish connection, which Buckingham, in his fit of passionate resentment, was flinging off. To punish him, and at the same time divert public anger from himself, Buckingham instigated 1624 the Commons to impeach him for corruption, a crime of which the treasurer seems in fact to have been moderately guilty. The shrewd old king warned Buckingham and Charles that they would one day have their bellyful of impeachment; a prediction which they had bitter reason to remember. Impeachment was an assertion of the responsibility of ministers to parliament, whereas Tudor autocracy rested on the principle that ministers were responsible to the sovereign alone. The ire of the court was also directed by Buckingham against Digby, afterwards Earl of Bristol, an honest and high-minded diplomatist who advocated a foreign policy not based on religious enmities or unfriendly to Spain, and had ventured to denounce to the king the extravagances of Buckingham at Madrid. With Digby good sense and high-minded patriotism seem to have departed from the councils of the crown.

“The Commons had now been engaged for more than twenty years in a struggle to restore and to fortify their own and their fellow-subjects’ liberties. They had obtained in this period but one legislative measure of 1624 importance, the late declaratory act against monopolies. But they had rescued from disuse their ancient right of impeachment. They had placed on record a protestation of their claim to debate all matters of public concern. They had remonstrated against the usurped prerogatives of binding the subject by proclamation, and of levying

customs at the outports. They had secured beyond controversy their exclusive privilege of determining contested elections of their members. They had maintained, and carried indeed to an unwarrantable extent, their power of judging and inflicting punishment, even for offences not committed against their House." In these words Hallam sums up the gains of the Commons during this reign. He might have added the appropriation of supplies, since the last parliament of James appropriated a supply distinctly to four objects connected with the war. A considerable stride had been made towards the conversion of the Tudor despot into a "Duke of Venice."

1624

The day of Tudor dictatorship is over; yet the Stuart may be pardoned for not being sensible of the change, or willing to resign the power. The next Stuart will not be sensible of the change, nor willing to resign the power, and hard in consequence will be his fate.

## CHAPTER XXI

### CHARLES I

BORN 1600; SUCCEEDED 1625; EXECUTED 1649

THE two royal unfortunates of history are Charles I. and Louis XVI. Both were weak men set by their evil star to deal with revolutionary forces which it would have tasked the highest statesmanship to master. Both of them would have been amiable in private life, though Louis would have been drowsily benevolent, and Charles would have shown more character. That Charles was by no means destitute of ability, his letters, the manner in which he defended his religion against skilful controversialists, and even his conduct as a general, proved. He had a serious sense of royal duty. He was a man of culture, a lover and a judge of art. Morally he was as pure as Puritanism itself could desire, for the story of his having had a natural daughter may be set down as a libel. He would have made an average bishop. He was a tender husband and father; too tender a husband, for his uxoriousness was his ruin; and it may be said of Henrietta Maria as it may of Marie Antoinette that, had she been caged at the beginning of the revolution, her husband would have escaped the scaffold. Though ceremonious, Charles was affable, and a kind master. Like George III. after him, he had been brought up with high notions of royalty. Yet his notions of it could hardly be



higher than was the language held respecting it by leaders of the Commons, the chief of whom, while they were wresting the sovereignty to themselves, spoke always of the king as their sovereign and as God's vice-gerent. As a king he felt the general tendency of monarchy in Europe to absolutism, which might approve itself, even to one who did not wear a crown, in countries where absolute monarchy was the alternative to aristocratic anarchy or barbarous disorder. There is no reason to doubt that Charles meant to use his power for the good of his people, or that he wished to make the nation great, though he erred in identifying its greatness with his own. His motto, *Amor Populi Regis Præsidium*, may well have been sincerely chosen; nor is there any ground for accusing him of having set out with a design against public liberty. With duplicity he has been justly charged, yet, in his early days at least, it was not so much deliberate deceit as weakness, the consequence of the false positions into which he was drawn and the contradictory obligations in which he became entangled. Weakness he inherited from his father, and it appears, together with his likeness to James, in the portrait of him by Dobson, though not in the somewhat idealized portrait by Van Dyck. When he was called to the helm of state in a storm he was barely twenty-five years of age. James had left him a fatal legacy in Buckingham, whose personal brilliancy and fascinations were as great as his wisdom and statesmanship were small. The favourite had the art of infusion and of making his masters fancy that they were leading when really they were being led. The early years of Charles were years of Buckingham's misrule.

1625

The hated Spanish marriage having been thrown over,

1625 a French marriage took its place. France was less catholic than Spain, and Henrietta Maria was a daughter of Henry IV. Still, France was catholic. Henrietta, though fond of pleasure, was devout. She brought her priests, her Mass, her catholic waiting-women with her. She came believing that she was to be the protectress of her religion in England. There were equivocal arrangements to be made about her personal worship and that of her attendants. There was an equivocal understanding with the court of France about indulgence to the English catholics, while the jealousy of the Puritan Commons was re-awakened by the catholic marriage and more than ever demanded the execution of the penal laws. It was on this rock that Charles's honour was wrecked, first at Madrid and afterwards in his negotiations with France.

It was not unnatural that Charles, flattered by his court and infected with Buckingham's ambition, should fancy himself a greater king than, with his limited power and revenue, he was, and try to play a part too grand for him on the European scene. The ambiguous position of his government, monarchical and high church, yet protestant, between the two warring elements of European opinion, increased its perplexities and its weakness. There was besides the purely family object of recovering the Palatinate for Charles's sister and her husband. The treaty for a Spanish marriage and a lover's visit of Charles to Madrid are followed by a protestant crusade against Spain. Now ships are lent to the king of France to be used against the rebel Huguenots; anon succours are sent to the rebel Huguenots who are holding out at Rochelle  
1625 against the king of France. The vast and weltering imbroglio in Germany continues, and with it the hopeless

effort to recover the Palatinate for Charles's brother-in-law by diplomacy or advances of money to protestant adventurers. To the drain of those advances are added that of Buckingham's war with Spain and next that of a war with France brought on by a misunderstanding as to the religious rights of Henrietta Maria and her catholic attendants, or, as rumour had it, by the mad arrogance of Buckingham, who had incurred a rebuff by daring to lift his eyes to the queen of France. The recovery of the Palatinate was a question in which, the first burst of protestant sympathy with the Elector and Electress being over, the royal family felt more interest than the Commons. In the Spanish war the interest of the Commons was more hearty. Spain was Apollyon, and Apollyon's galleons were rich prizes. But the Commons little understood the diplomatic entanglements and at once suspected treachery when, in pursuance of an agreement with the French government, whose alliance was necessary against Spain, English ships were lent to be used against protestant rebels. They had no confidence in Buckingham, who deserved none; or in his subordinates, who deserved little. They drew tight their purse strings, and refused the king the supplies absolutely necessary for the war. It was by lack of money to carry on the war and fulfil his engagements to his confederates, not by his absolutist tendencies, that Charles was led in the first instance to have recourse to forced loans and other modes of raising money without the consent of parliament, while he was filling his armies and fleets by a barbarous use of the power of impressment. He was reduced to pawning his crown jewels. The military and naval administration was wretched and the failure was complete on land and sea.



An expedition against Cadiz, from which the nation looked for a renewal of the glories of Drake, ended not only in defeat, but in utter disgrace, the troops getting  
1625 drunk and the sea captains refusing to fight; while the treasure fleet, the capture of which was to replenish the king's coffers, was allowed to escape. In the French war an attempt to relieve Rochelle by a landing on the Isle of Rhé, under the command of Buckingham himself, ended  
1627 likewise in disaster, though Buckingham showed courage, and not only courage, but as much conduct as could be expected of a novice in war. From Germany came no better news than from Cadiz or Rochelle. Everything was going down before the armies of the Empire, commanded by Wallenstein and Tilly. The Elector was an outcast, and Mansfeld, the vaunted champion of protestantism, on whom aid had been wasted, not only lost, but, with his vagabond host, disgraced, the cause. The pressed men, of whom the English regiments and crews were made up, being left unpaid and unfed, died of want, cold, and disease. They mutinied, deserted their standards, wandered over the districts in which they were quartered, plundered the farms, and insulted the wives and daughters of the farmers. To repress these outrages, martial law was proclaimed.

Meantime, the political struggle between the king and the Commons, always at bottom a struggle for supreme power, was renewed and continued to rage through successive parliaments. Charles at first met his parliaments  
1625 with smiling countenance, but the sun of concord was soon overcast. Opposition took two forms; want of confidence in Buckingham as helmsman of the state, and resistance to Romanizing tendencies, or what were taken

to be Romanizing tendencies, in the church. Buckingham managed to embroil himself and his master with the Lords as well as with the Commons by arbitrarily excluding from their seats in parliament the Earl of Arundel, who had offended him, and Digby, now the Earl of Bristol, who had incurred his enmity by exposing his misrepresentations about the Spanish marriage and the transactions at Madrid. Bristol refused submission, the House of Lords upheld with spirit the rights of its members, and the court was obliged to give way.

Presently the shrewd prophecy of the late king that Charles and Buckingham would have their bellyful of impeachment was fulfilled. A resolution for the impeachment of Buckingham was carried in the House of Commons, on well-founded charges of maladministration; charges, not so clearly well-founded, of corruption; and a totally unfounded charge, not directly laid but insinuated, of having poisoned the late king. In our day, instead of an impeachment, a vote of want of confidence in a minister, or, in case of extremity, a refusal of supply, would do the work. The form of impeachment involved an investigation into the acts and expenditure of the government, which is said with truth to have carried in itself the germs of revolution. Responsibility of ministers to parliament was in fact the issue now revived after having lain dormant almost since Lancastrian times; decided in favour of the parliament as it has been, it takes away personal power from the crown. We can hardly blame Charles for standing by his friend Steenie. But in forbidding the Commons to inquire into Buckingham's administration he drew the responsibility on himself.

Charles was no Romanist. To the end he was true

to the church of England and his own ecclesiastical supremacy. Anglicanism may fairly regard him as its martyr and dedicate churches to his name. But he was a strong episcopalian, deeply impressed with the truth of his father's maxim as to the identity of the king's interest with that of the bishop, while, had he been a private man, his own character and tastes would have led him to the side of church order and of ritual. He was thus borne against the main current of religious opinion and sentiment, which, in the political classes, was decidedly Puritan, and brought into collision with the most powerful and aspiring intellects of the day, whose ideal was an unceremonial worship and a Bible faith untrammelled by clerical authority. He had about him a group of high church ecclesiastics, who, in the interest of their order, exalted his prerogative, and, if they were hot-headed, to an alarming and irritating height; at the same time assailing the dominant Calvinism, which was the animating spirit of Puritanism, in politics as in religion. The work of Montague which provoked the wrath of the Commons was in form a defence of protestantism against the church of Rome, but the grounds on which the defence was based were anti-Calvinist and anti-puritan, while political offence was given by the appeal to Cæsar to defend with his sword the writer, who would defend him with his pen. The suspicions of the Commons were borne out by the subsequent career of the author, who was presently engaged in negotiations with a papal envoy and went to the very brink of conversion. The court divine, Manwaring, said in one of his famous sermons, that the first of all relations was that between the Creator and the creature; the next between husband and wife; the third



between parent and child; the fourth between lord and servant; and that from all these arose that most high, sacred, and transcendent relation between king and subject. In another passage he asks himself, why religion doth associate God and the king? and he answers that it may be for one of three reasons; because in scripture the name of God is given to angels, priests, and kings; or from the propinquity of offenders against God and His anointed king; or from the parity of beneficence which men enjoy from God and sacred kings, and which they can no more requite in the case of the king than in the case of God. He reasons, that "as justice, properly so called, intercedes not between God and man; nor between the prince, being a father, and the people as children (for justice is between equals); so cannot justice be any rule or medium whereby to give God or the king his right." This doctrine was preached in the Chapel Royal to a young king. Sibthorp preached in the same anti-puritan and absolutist strain, claiming for the prince the power of making the law, and maintaining that the subject was bound to active obedience so long as the king's command was moral, and that in any case resistance was impious. Abbot, the old Puritan archbishop, refused to license Sibthorp's sermon and was suspended for his refusal, making way for the growing ascendancy of Laud. Charles identified himself with the teachings of Montague, Manwaring, and Sibthorp by promoting them all in defiance of the protests of the Commons. That the Commons, in these protests, were contending for religious liberty cannot be said. A national church establishment, with compulsory unity of orthodox belief, was their ideal, as much as that of their opponents, while they assumed

that the national and orthodox creed was the Calvinism of the Lambeth Articles and the Synod of Dort. They were all the time clamouring for the execution of the laws against papists; and extreme protestant sectaries, such as the Anabaptists, would have met with a not less rigorous treatment at their hands. All that can be said is that the creed for which they contended was the more congenial to political liberty, and the more likely to lead to liberty of conscience in the end.

The leader of the Commons was Sir John Eliot, a Cornish gentleman, high-souled, patriotic, hot-blooded, and dauntless, with an oratorical temperament and the oratorical habit of one-sided statement and exaggeration. From sympathy with Buckingham's foreign policy he had passed to unmeasured denunciation of him as an arch traitor and capital enemy of the state. The comparison of Buckingham to Sejanus, in his speech as manager of the impeachment before the House of Lords, is a famed stroke of eloquence and may be cited as one of the first fruits of the rhetoric by which the councils of the nation have been swayed. "Your lordships have an idea of the man, what he is in himself, what in his affections! You have seen his power, and some, I fear, have felt it! You have known his practice, and have heard the effects. It rests, then, to be considered what, being such, he is in reference to the king and state, how compatible or incompatible with either. In reference to the king, he must be styled the canker in his treasure; in reference to the state, the moth of all goodness. What future hopes are to be expected, your lordships may draw out of his actions and affections. In all precedents I can hardly find him a match or parallel. None so like him as

Sejanus, thus described by Tacitus, *Audax, sui obtegens, in alios criminator, juxta adulator et superbus*. My lords, for his pride and flattery it was noted of Sejanus that he did *clientes suos provinciis adornare*. Doth not this man the like? Ask England, Scotland, and Ireland, and they will tell you! Sejanus's pride was so excessive, Tacitus saith, that he neglected all counsel, mixed his business and service with the prince, seemed to confound their actions, and was often stiled *imperatoris laborum socius*. How lately and how often hath this man commixed his actions, in discourse, with actions of the king! My lords, I have done. You see the man! By him came all these evils; in him we find the cause; on him we expect the remedies; and to this we met your lordships in conference."

Eliot, though a strong protestant, was no narrow Puritan. His work, "The Monarchy of Man," in which his somewhat misty philosophy is expounded, shows that his ideal was not a republic, but a monarchy. He seems even to have thought that monarchical government had its archetype in the heavenly spheres. That he was morally dethroning the monarch and transferring supreme power to the representatives of the people, neither he nor any one of his party saw.

The classical allusion in Sir John Eliot's speech reminds us that beside the Bible and Calvinism another element has now mingled with public character and life. It is that of Greek and Roman antiquity, with its republicanism, its proud notions of personal liberty, its tyrannicide. Nor would the political sentiment of Timoleon and Brutus be practically out of unison with that of the Hebrew prophet who denounces the sins of kings, or with that of the Psalmist who would bind kings with chains



and nobles with fetters of iron. With the humility and meekness of Christianity, the haughty self-assertion of the Greek or Roman republican would not so well agree.

It could not be denied that the Commons had originally countenanced the government in the undertaking to recover the Palatinate and pressed on it war with Spain. Yet they withheld the necessary supplies, pleading the incapacity and failure of the administration. Peace with retrenchment might have relieved the government from its embarrassments, and given it a free hand in home politics. But such a policy was too tame for Buckingham's vanity. To provide ways and means the crown had recourse not only to fines for refusal of knighthood and other feudal extortions, to raising the rents of crown lands upon the tenants, to pawning the crown jewels, to impressment of soldiers and seamen and exaction of ships from the seaports, but to levying tonnage and poundage, the duties on imported merchandise, without vote of parliament, and to forced loans. The levying of tonnage and poundage was excused, and perhaps was excusable, on the ground that they had hitherto been granted as a matter of course for the reign. For refusing to contribute to the loan a number of gentlemen were thrown into prison, and the subserviency of the judges upheld the crown in its disregard of the principle of personal liberty secured by the Habeas Corpus. An attempt to break the force of  
1626 opposition by making some of its leaders sheriffs, and thus excluding them from the House of Commons, met with deserved failure, and the elections went generally against the government. The young king gave way to his temper.  
1628 He opened his famous third parliament by telling the Commons that "if they would not do their duty by granting

supplies, he must use other means which God had put into his hands to save that which the follies of other men might otherwise hazard to lose." This he bade them not take as threatening, since he scorned to threaten any but his equals. Sir John Coke, leader for the crown in the Commons, raised a storm by insinuating that if the people provoked the king he might be tempted to reduce them to the condition of the French peasantry, who were as thin as ghosts and wore wooden shoes.

The answer to the royal menace was the Petition of Right, on the king's assent to which the Commons insisted as the condition of supply, while, to justify their attitude, they held out the promise of a liberal grant. The petition was a reversion to the old form of legislation for redress of grievances. The grievances of which redress was sought were four; forced loans; arbitrary imprisonment; billeting of soldiers on private houses; and martial law. The chief grounds of complaint were the first two. The billeting, though vexatious, seems not to have been illegal, nor, was martial law, if applied only to the soldiery, a wrong. The king struggled hard for what he believed to be his prerogative, but he struggled in vain. An opposition too strong for Buckingham's influence had by this time been formed even in the House of Lords by Puritan peers, such as Bedford and Saye and Sele, with men like Bristol and Arundel, who had been injured by the court, and one or two bishops who did not go with Laud. Charles asked the Commons instead of binding him by law to take his word. "What need," said Pym, now rising to leadership, "have we of the king's word, when already we have his coronation oath?" A middle party in the Lords proposed to insert words saving to the king his sovereign power.

“I am not able,” said Pym, “to speak to this question. I know not what it is. All our petition is for the laws of England, and this power seems to be another distinct power from the power of law. I know how to add sovereign to the king’s person, but not to his power. We cannot leave to him sovereign power, for we never were possessed of it.” The king contended for a reserved prerogative or sovereignty beyond the law to be exerted whenever in his judgment there was need. The Commons contended that the law should in all cases be supreme, and that they should make the law; in other words, that the sovereign power should be theirs. Reduced to extremity, the king gave his consent to the Petition of Right, at first not in the plain and customary form “Let right be done, as is desired,” but in a form roundabout and evasive. At 1628 last he gave his consent in the plain form. The Petition of Right, regarded as second only to the Great Charter, was added to the muniments of liberty and to the pledges for the supremacy of parliament. - Shouting, bell-ringing, and bonfires proclaimed the victory of the Commons.

Yet the strife hardly abated. To the Petition of Right 1628 succeeded remonstrance against the proceedings of the high church and absolutist divines, which the king had made more offensive by the promotion of the offenders; against the foreign policy and general administration of Buckingham; against the persistent levying of tonnage and poundage without the vote of parliament. With tonnage and poundage the king vowed he could not dispense, and in truth he would have deprived himself of the means of carrying on his government. Previous parliaments had been dissolved in a storm. This parliament was 1628 prorogued. Only so far was there an appearance of recon-



ciliation. Allowance must always be made on the king's behalf for the ambiguities of constitutional tradition and the variation of precedents between Lancastrian and Tudor times, as well as for the formal recognition by the Commons of the royal supremacy and government which, half unconsciously, they were labouring to overthrow. Only a sympathy almost miraculous between the wearer of the crown and the Commons could have averted quarrel and ultimate collision.

With Buckingham, the struggle came to a tragic close. When he was on the point of embarking on another military escapade, his dazzling and mischievous career was cut short by the knife of an assassin, in whose morbid brain, as often happens, the ferment of public discontent had blended with a private grudge. So intense had the feeling against Buckingham become, that his assassin was saluted as a hero and a martyr. Something may be excused to one who by a freak of fortune was raised when he was a mere boy to a giddy height and was only thirty-six when he died. But to Buckingham's vanity, folly, and personal resentments are evidently to be ascribed the ruinous mistakes and inconsistencies of foreign policy; the chimerical attempts of England, now hardly more than a second-rate power, to dominate as a first-rate power on the continent; the Spanish war and the attempts to draw France into the combination against Spain; the loan to the French monarchy in pursuance of that combination, of English ships to be used against the protestants of Rochelle, which could not fail to arouse the angry suspicions of the protestants at home; the subsequent rupture and war with France, and the hopeless attempts, by supporting the Huguenot insurrection, to defeat the policy of Richelieu and prevent the

1628

consolidation of the French kingdom. The financial embarrassments into which this series of follies brought the English monarchy laid it at the feet of the Commons, and when it had quarrelled with parliament, drove it to irregular ways of raising money, which, combined with its ecclesiastical policy of reaction, led to its overthrow.

The removal of Buckingham from the scene uncovered  
1629 the king, against whom, when parliament met again, the attack was directly pointed. The grievances now were levying tonnage and poundage when they had not been voted by parliament, and the countenance which the crown had lent to the high church and anti-puritan movement by the promotion of Montague and Manwaring, together with the progress of Arminianism and ritualism among the clergy; constitutionalism, Puritanism, and Calvinism always moving together. In ecclesiastical as well as civil legislation the Commons strove to make themselves supreme, to the exclusion of the clerical convocation, which was ruled through the bishops by the king. The king put forth his manifesto with respect to the Thirty-nine Articles, demanding a uniform and unswerving profession of them, and in effect ordaining that  
1629 they should be taken in the sense which it might please him as supreme governor of the church and the convocation with his license to assign them. The Commons contended that the Articles should be taken in what they deemed the orthodox, that is, the Calvinistic, sense. They passed resolutions denouncing the spread of Arminianism with popery in its train, the placing of communion-tables as altars, and ritualistic practices of all kinds. As the standards of orthodoxy, they pointed to the writings of the Calvinist Jewel, the ultra-Calvinist Lambeth Articles,

and the resolutions of the Calvinist and un-episcopal Synod of Dort. The king, losing patience, sent an order to the Commons to adjourn. The Speaker wished to obey. But the patriots held him down in his chair till resolutions against the levying of tonnage and poundage without a vote of parliament and against the encouragement of high church principles had been passed. Then tumultuously the Commons adjourned.

A dissolution followed, while Eliot and eight other 1629 members were imprisoned by royal warrant for their conduct in the last scene. A battle in the courts for their liberation by Habeas Corpus ensued, with the usual hesi- 1630 tation and fencing on the part of the judges, who were unwilling to break the law while they wished to uphold the prerogative of the crown. It was much that there was a law which the judges were unwilling to break. Six of the nine members made their submission and were released, Selden, who was no zealot, not without a stain upon his honour. Eliot, disdaining submission, remained in prison till he died, employing himself in writing his "Monarchy of Man." The chills of his prison-house hastened his death. His son asked leave to 1632 bury him in his Cornish home. Charles wrote on the petition, "Let Sir John Eliot be buried in the church of that parish where he died." It was an unusual exhibition of bad feeling on the part of Charles, and he rued it, for it helped to make the war between him and the parliamentary leaders internecine.

English liberty has been peculiarly indebted to the courage of private citizens who have dared to stand forth single-handed in the cause of public right. Bate in the last reign had stood forth single-handed against impositions



on merchandise. Richard Chambers, a London merchant, now stands forth against the levying of customs duties without an Act of parliament. He is brought before the star chamber, where he had no chance of justice, and resolutely refusing submission is kept in prison for six years, while his goods are seized for the tax. In vain he seeks a remedy in the court of common law. In questions between prerogative and the rights of the subject, the judges, while they are not without conscience, waver and take refuge in technicalities. Their technical decision could settle nothing. In their law-books they might find the letter of the law; they could not find the balance between constitutional principle and necessities of state. In the cases of Eliot and Chambers together the king had warning enough.

Buckingham gone, the chief ministers for a time were Weston and Cottington, both of them catholics at heart, both of them in favour of Spanish connection, but both of them steady-going and sure-footed men thinking more of finance and of material interests than of religious disputes or of ambitious diplomacy, who might have replenished the exchequer, evaded thorny questions, and carried on the government in a safe though unambitious way.

Charles held the reins himself long enough to show that he had been not only the patron, but the pupil of Buckingham. Presently he had two new and memorable advisers, Laud, Archbishop of Canterbury, and, somewhat later, Wentworth, better known as the Earl of Strafford. Our idea of Laud has been tinged by the art which paints everything black or white, and is prodigal of varnish. He was not a bigot or a fanatic, but a martinet, and so long as he could enforce universal conformity to

his rule of church government and worship, cared not much about speculative opinion, nor was unwilling that it should be free in the closets of Chillingworth and Hales. The school of which he was the chief has even, in virtue of its opposition to Calvinistic rigour and narrowness, been deemed liberal. His weaknesses have also been overstated. The notices of dreams and omens in his diary were hardly proofs of superstition in an age in which astrology kept its hold on such a man of science as Kepler, and on such a man of action as Wallenstein. His religion was Anglicanism, and Anglicanism as the ordinance of the state. In defence of this he had fleshed his controversial sword at Oxford, where Calvinism still reigned. At Oxford also, as head of a college, he had learned despotic rule. His temper was choleric; it did not prevent his courting the powerful, but it made him sometimes rude to lesser men. His character was bespoken by his small bustling figure, high-drawn eyebrows, sharp face, and peering look. He had made his way to court and to royal favour, though the old king shrewdly suspected that he would one day give trouble. Trouble he soon gave as Dean of Gloucester by tilting against the Puritanism of that city. He allied himself closely with Buckingham, by whose vices it does not seem that his austerity was repelled. Made bishop of St. David's, he scrupled not to leave his Welsh flock untended while he stayed at court pushing his fortune. From St. David's he climbed to Bath and Wells, thence to London, in which see, as it was a hot-bed of Puritanism, he found plenty of food for his regulative activity. At last, on the death of Abbot, he reached the highest mark of that ambition, of which his admirers own that he was not devoid, and was joyously greeted by

1616

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the king, whose heart he had won, as "My Lord's Grace of Canterbury." His rival in the race, Williams, Bishop of Lincoln and for three years, by a strange reversion to the practice of the ecclesiastical middle ages, lord chancellor, was a clever and shifty adventurer, who studied the weather, and though he might not have guided Charles to the heights of honour, would never have guided him to the block. But Williams had given offence and been cashiered. The king being ecclesiastically supreme, Laud, having Charles's unbounded confidence, was pope of the state church, little trammelled even by the independent authority of bishops or convocation. But he was not satisfied with ecclesiastical power. Soon he was on the commission of the treasury and at the head of the committee of foreign affairs. When Weston died and Cottington's influence had given way, Laud was practically the head of the government. He presently got his lieutenant, Bishop Juxon, made treasurer. Secular power in the hands of ecclesiastics seemed to him the surest safeguard of the church, and he pursued the same policy in Scotland, where an archbishop was made chancellor and seven bishops were introduced into the privy council. The actual fruits of this profound policy were a general reaction against ecclesiastical encroachment and the special jealousy of the grandees, who looked on the offices of state as their own. The lawyers, also, as the royalist historian complains, were embittered against the encroaching churchmen.

From the dark and haughty countenance of Wentworth looked forth power and love of command. It seems hard to maintain that the career of a man who was first one of the leaders of a parliamentary opposition, and then the



minister of a king who was trying to govern without parliament, can have been perfectly consistent in anything but ambition, though his ambition may have been generous and he may have had the greatness of the country as well as of the monarchy always at heart. To his former allies in the House of Commons assuredly Wentworth's career did not seem consistent, even supposing we regard as apocryphal the anecdote which makes Pym vow vengeance against the renegade. Wentworth, when he was attacking Buckingham, was cutting his way to power, which he meant, as a great intelligence, when he had attained it to use well. Full credit may be given him for sincere disapprobation of Buckingham's policy, and of the ill-advised action of the court which provoked the Petition of Right. His ideal no doubt was, like that of Bacon, a patriotic and enlightened monarchy with a compliant parliament and a judiciary faithful to the prerogative, himself being prime minister and the moving spirit of the whole. But as parliament proved intractable, he embraced autocracy with himself as vizier. With apostasy from mean motives or in an ignoble sense it would be unjust to charge him, but it cannot be denied that there was a sharp turn, such as to the friends whom he left might seem apostasy, in his political career.

From the presidency of the council of the north, a local government with arbitrary powers, which had survived from Tudor times of rebellion, Strafford went as lord deputy to Ireland. There he played the beneficent despot for whom Ireland yearned; put the parliament under his feet, an operation rendered easier by Poynings's law giving the English privy council control over Irish legislation; reformed the administration, civil and mili- 1633

tary; restored the finances; tried to foster trade. He set in order and purified as far as he could the corrupt, swinish, and scandalous Establishment, the sight of which made protestantism and the civilization connected with it hateful to the Irish people; the clergy living like laymen, sometimes like dissolute laymen, and following unclerical pursuits, the estates of the church being plundered, charitable funds being abused, churches being turned into dwelling-houses, stables, or tennis courts, and the vaults under them into taverns, while maids and apprentices lolled upon the table used for the administration of the sacrament. So far well. It was not so well when Strafford proceeded to dispossess the native race and by verdicts wrung from intimidated juries confiscated to the crown a great part of the land of Connaught. Nor did the man fail in the seat of power to show his overbearing pride. He heedlessly trod on more than one worm which turned on him. From Ireland he corresponds with Laud. There can be no reasonable doubt as to the object which the two men have in view, and which they denote by the cant word "Thorough." Thorough reform of the king's service by the sweeping away of inefficiency, peculation, and corruption, no doubt as statesmen they did desire, but what they mean by "Thorough" is the complete ascendancy of the prerogative. "I know no reason, then," wrote Strafford to Laud, "but you may as well rule the common lawyers in England as I, poor beagle, do here; and yet that I do, and will do, in all that concerns my master's service, upon the peril of my head. I am confident that the king, being pleased to set himself in the business, is able by his wisdom and ministers to carry any just and honourable action thorough all imagi-

nary opposition, for real there can be none; that to start aside for such panick fears, phantastick apparitions, as a Prynne or an Eliot shall set up, were the meanest folly in the whole world; that the debts of the crown taken off, you may govern as you please." This is not reform of his majesty's service. Nor can it well be questioned that the army which Strafford was organizing in Ireland was intended by him to be used at need for a political purpose. He said himself that if the king could only have the power of levying money to pay soldiers as well as to pay ships, it would "vindicate the royalty at home from under the conditions and restraints of subjects, and render us also abroad, even to the greatest kings, the most considerable monarchy in Christendom." Of his Irish government Wentworth could boast that the king was as absolute there as any prince in the world, and so might remain if the ministers in England would do their part.

By admirers of Strafford and Laud their government has been painted as protection of the people against a selfish and oppressive oligarchy; as an anticipation, in fact, of the Tory democracy of our time. This would be interesting if it were true. But on what does it rest? Something was done for poor debtors and for improvement in the administration of the Poor Law and the application of charitable funds. Something was done for the special protection of women. Strafford takes credit to himself for having in Ireland meted out equal justice to high and low; but the native Irish of Connaught would hardly have endorsed the boast. There is nothing to show that in the hour of his fall the heart of the people was with him. Laud, Clarendon tells us, displayed in his admin-



istration of church discipline a noble impartiality, not regarding the rank of the offender. This was well, though the culprits might have remembered that the stern censor had served the uncanonical love of Mountjoy and allied himself with the libertine Buckingham. But there is not much in it of Tory democracy. Nor in impressing poor men by thousands, dragging them from their homes to serve in the fleet or army, keeping them without rations or clothes, and hanging them by scores under martial law when they helped themselves to food, did the government of Charles show much sympathy for the masses. There was an aristocratic element in the opposition, as there was in that of the Huguenots and afterwards of the Fronde, as there was in the revolt of the Netherlands, in the Bohemian revolt, in the German and Scotch reformations; while in the motives of the aristocracy with religion or patriotism were mingled in different proportions class interests or passions, lust after church spoils, jealousy of the political power of ecclesiastics, it may be feudal impatience of all law and government. The House of Lords could not like to be over-shadowed by autocracy; it was jealous of churchmen, like Laud and Juxon, who supplanted it in court favour and in the offices of state. The Tudor nobility still had reason to fear a catholic reaction. It is not likely that even the English aristocracy, though comparatively popular, was without its share of arrogance, or did not sometimes trample on dependents. It was at its worst probably in the still half-feudal north which was the scene of Strafford's autocratic rule. So far as the government of Strafford and Laud sought to control oligarchical mutiny or insolence, it deserves sympathy. Of their Tory

democracy this seems to be about the sum. Richelieu humbled the noble before the crown without doing much for the peasant.

The privy council now usurped legislative functions, and the star chamber, organized to suppress masterful wrong in unsettled and lawless times, became the instrument of repression in the hands of an arbitrary government; while the court of high commission, instituted by Elizabeth as the engine of her despotism in the church, served the procrustean policy of Laud. "For the better support of these extraordinary ways, and to protect the agents and instruments who must be employed in them, and to discountenance and suppress all bold inquirers and opposers, the council table and star chamber enlarge their jurisdictions to a vast extent, 'holding' (as Thucydides said of the Athenians) 'for honourable that which pleased, and for just that which profited'; and, being the same persons in several rooms, grew both courts of law to determine right, and courts of revenue to bring money into the treasury; the council table by proclamations enjoining this to the people that was not enjoined by the law, and prohibiting that which was not prohibited; and the star chamber censuring the breach and disobedience to those proclamations by very great fines and imprisonment; so that any disrespect to acts of state or to the persons of statesmen was in no time more penal, and those foundations of right, by which men valued their security, to the apprehension and understanding of wise men, never more in danger to be destroyed." These are the words of the royalist historian Clarendon.

In the absence of parliamentary supplies, how were the

expenses of government to be met? Tonnage and poundage continued to be levied by prerogative. The duties were increased. By delving into the middle ages obsolete rights and claims of the crown were unearthed. A large and peopled district was claimed as royal forest, and juries were bullied into adjudging it to the crown, not to the satisfaction of the inhabitants who were brought under forest law, any more than to that of the owners of the land. Composition for knighthood, now obsolete, was revived. Every one who could be fined for anything was fined. A land-owner was fined for depopulation if he had pulled down a cottage. Monopolies were another source of unconstitutional revenue. "Unjust projects," says Clarendon, "of all kinds, many ridiculous, many scandalous, all very grievous, were set on foot." The government stooped to exactions which were little better than blackmail. But the climax was ship-money. A tribute, dating from the times of Danish invasion, which had before been exacted from the seaports, was now exacted from the country at large. Not once only but five times the writs went out. The issue of such a series showed that the plea of emergency had been dropped, and that ship-money was to be a permanent tax levied without the assent of parliament.

1635 Hampden, a Buckinghamshire gentleman, stood forth and refused to pay the tax. There was a long and ever-memorable argument before the whole bench of judges. By this time the judges, holding office as they did during the pleasure of the crown, had been pretty well reduced to the condition of lions beneath the throne. One of them, Heath, had been dismissed, most likely on political grounds. Clarendon, high royalist as he is, deplores their debase-



ment. It is wonderful, and shows the influence of professional conscience and of care for professional reputation, that they should not have been unanimous in their judgment for the crown. Hampden was condemned to pay, but of him the king had not heard the last. More famous though not more deserving of fame than Bate or Chambers, he stands in history the type of a character which England has failed fully to transmit, as she has failed fully to transmit political independence generally, to her offspring in the new world. The logic of the judges, Clarendon says, and, he might have added, that of the crown lawyers, left no man anything that he might call his own. Chief Justice Finch outvied the rest of the bench and even the crown lawyers in exaltation of the prerogative.

The country meanwhile was prosperous. Taxation, though unconstitutional, was not heavier than constitutional taxation had been. Monopolies were galling, that of soap especially, but not unbearable. Tonnage and poundage when levied by prerogative were not more onerous than when levied by law. Fines for refusal of knighthood touched only a few, and those chiefly of the wealthier sort. Afforestations were local. The encroachments of prerogative were masked by law, to which, though delivered by servile judges, the mass of the people would submit. The government was not inactive in material improvement; it set up a letter post, made sanitary regulations, undertook the draining of fens. The legal profession generally was on the king's side. So, of course, were the clergy. If the crown had no standing army, the patriotic opposition had no means of forming a front, and the crown could raise troops at any moment, while the opposition could not. In the county and the

borough freedom still had ramparts; otherwise in the political region there seems to have been nothing to prevent the government from gradually establishing itself on a basis independent of parliament. Had Strafford instead of Laud been at the centre of affairs, the course of English history might have been changed. But Strafford was too great for Charles, and his reforms, however they might please Laud, pleased not courtiers or the queen. To bid the courtiers support a minister in doing away with corruption in order to save the government was to bid them give up that which made the government worth saving.

The government, Buckingham's insane desire of shining on the continental field having ceased to animate it, had staunched one source of expenditure by keeping pretty well at peace. The king's only definite object in his continental policy was the family one of recovering the Palatinate. This he sought without regard to any great cause, or to the religious character of any power which for the time being he thought likely to help him to his end. The deep of the Simancas archives has given up the fact that in order to obtain Spanish aid he was ready to enter into a league with Spain for the dismemberment of the independent Netherlands. He wove over the whole of Europe a tangled web of self-contradictory and futile diplomacy, earning the contempt of all the powers by affecting to dominate without force, and showing how feeble is the voice of the ambassador when unseconded by the voice of the cannon. His own leaning was to connection with the great catholic monarchies. From the Dutch, the natural allies of England, he and his bishops shrank as from Calvinists and republicans, though in the Stadtholderate monarchy had a compeer.

In Germany up to this time everything had been going down before the Imperial and catholic generals, Wallenstein and Tilly. Last of all the king of Denmark had sunk before Tilly at Lutter. At length, like a meteor from the north, Gustavus Adolphus descends upon the scene and turns the day in favour of the protestant cause. All protestant hearts in England leap with joy. Whether the hearts of the court did may be doubted. But at all events Charles was quit of the business at the price of sending a few volunteers and a little money; and his finances were thus spared.

Not the political but the ecclesiastical sphere was the destined scene of the fatal crisis. The civil war which is coming was truly named the Bishops' War; the strongest force and the prevailing character of the revolution were religious; the dictator who emerged from it was the military chief of a religious party. Anglicanism and Puritanism yoked by the political compromise could not draw together. Anglicanism was and is hierarchical, sacerdotal, sacramental, ritualistic. Puritanism was the reverse of all these. Anglicanism was Arminian, holding the doctrine of free will, which let in good works and the agency of the church, that is, of the clergy. Puritanism was Calvinistic, admitting no influence on the soul but that of God. The great ordinances of Anglicanism were the sacraments. The great ordinance of Puritanism was preaching. Anglican worship was liturgical; that of Puritanism was not. Anglicanism put the communion table at the east end of the church, treating it as an altar, and received the communion kneeling. Puritanism put the table in the middle of the church to show that it was not an altar, and received the communion sitting. On



this question as to the position of the table and the posture of the communicant, the two parties came into palpable collision. The Puritan freely used the table, so sacred in Anglican eyes, for secular purposes. He treated the church chiefly as a preaching house; left it often in a slatternly state, disgusting to the Anglican, and disfigured it with pews, huge if he was a person of quality, while he smashed the painted windows and the images of saints which Anglicans loved more than they cared to say. The Puritan kept no saints' days, abhorring them as human inventions; but he religiously kept or tried to keep the Jewish Sabbath. The Anglican kept saints' days, while he practised archery, played games, and danced on the green on the Sunday afternoon. Maypoles and Christmas festivities, the delight of the Anglican, were the detestation of the Puritan. In manners, and to some extent even in dress, the two sects were opposed to each other; the Anglican or the Cavalier, as he came presently to be called, being free and jovial, often to excess; the Puritan, strict and severe. The Anglican loved stage plays, which the Puritan reprobated, not without plausible reasons, as is shown by the comic scenes of Massinger and other playwrights, to which probably corresponded too often the conversation of the players.

Not that the leading Puritans were crop-eared and sour-visaged fanatics, however much of that sort there might be in the lower sections of the party. Colonel Hutchinson is painted by his wife, who, if she is partial in her description of her husband at all events gives us the Puritan ideal, as a perfect gentleman, highly accomplished, skilled in manly exercises, polished in manners, and courteous to all, as well as deeply religious, strictly pure, and

exemplary in performance of all the duties of life. There was certainly not less of the "humanities," as classical culture was called, on the side of the Puritan than on that of his opponent. Nor did the Puritan gentleman differ from the Cavalier in costume, except that his dress was more sober. That he was not crop-eared, but wore long locks, is shown by the portraits of the time. The London apprentices were cropped, and the nickname of Round-heads was extended from them to the party. Milton combines with Puritanism and the political republicanism to which it tended, the utmost graces of the Renaissance and of classical culture. He had a heart even for the high-embowered roof with its antic pillars; for the storied windows, richly dight; for the dim religious light which they cast; for the pealing organ and the full-voiced choir. The author of "Comus" did not reprobate, though he purified, the stage. That Milton should have taken the Puritan side is strong proof that it was the side, not only of protestantism and liberty, but of intellectual and moral aspiration. Our best reason for sympathizing with the Puritan and parliamentary cause in the coming battle is that in that camp on the whole were the most powerful and enlightened minds and the noblest characters of the day.

Puritan was in fact another name for protestant. It meant practically the man whose rule of faith was in the Bible, while the catholic's rule of faith was in the church. But what was the Bible? All the sacred books of the Jews collected and bound-up as one with the history and words of Jesus, whom the Jews slew as a subverter of their religion, and with the history and words of his disciples. In the New Testament the Puritans would find, in the Sermon on the Mount, precepts of meekness, hu-

mility, forgiveness of injuries; of forgetfulness of self, of benevolence without bounds. They would find a total disregard of the things of this world. They would find perfect equality in Christ, the universal Fatherhood of God, the universal brotherhood of man. They would find a God of love and mercy. In the Old Testament they would find righteousness, purity, worship of one God, hatred of idols. But they would find a God different in aspect from the God of the New Testament, a jealous God, a God of vengeance, a God who visited the sins of the fathers upon the children unto the third and fourth generation. They would find a chosen race with its covenant of circumcision and its tribal law. They would find the Canaanites, without regard for age or sex, smitten with the sword and their land given by a partial God to the chosen race. In the stories of Sisera and Agag they would find not only mercy, but morality, sacrificed to religious zeal. They would find witchcraft punished with death. They would find disobedience to parents punished with death. They would find slavery recognized as lawful, though in a comparatively mild form. Nor had they any philosophy of history to teach them that these things were all primeval and had passed away. They would find much to suggest that the saints were to inherit the earth, and that sinners, above all heretics and blasphemers, were to be summarily despatched to hell. The common minds among them, especially in a time of civil strife, would find the precepts of the Old Testament more easy of fulfilment, and its examples more easy of imitation, than the precepts and the example of Jesus. In most of them there would be a curiously mixed character, the two Testaments mingling and contending



with each other, and the Old Testament generally prevailing over the New.

The common Puritan of the middle class has painted himself in the historical reminiscences of Nehemiah Wallington. Nehemiah lives in an Old Testament atmosphere of special providences and divine judgments. He sees strange apparitions in the air and fancies that God turns bullets. He is capable of believing that when a husbandman ploughed on the Sabbath, the iron with which he cleaned his plough stuck to his hand and could not be got out for two years. He is an intense Sabbatarian and a bitter enemy of organs and May-poles. He everywhere scents popery and popish plots against the people of God. If he gets the upper hand, compulsory piety, with hypocrisy in its train, sanguinary laws against heresy and blasphemy, execution of popish priests, burning of witches, suppression of natural pleasures and of the harmless gaiety of life, breeding inward vice, are too likely to be the order of the day. Against Nehemiah Wallington there is not a little to be said for Laud.

All England, however, was not Laudian or Puritan. Between the two great religious parties, philosophically above them both, were the Liberals, such as Hales, Chillingworth, Falkland, and the intellectual group for which Falkland kept open house at Great Tew, precursors of the Cambridge Platonists and of the Broad Churchmen of our own day. These men sought unity, not in a compulsory rule of any kind, but in freedom and charity. Unfortunately the hour of freedom and charity was not come, and the feeble band of their votaries was crushed in the collision of the two great adverse masses of opinion.

Nor were the clergy of the church of England, or even its bishops, all Laudian. Bishop Usher, whose learning and character everybody deeply respected, was for a limited episcopacy without pretence to divine right, midway between the Anglican polity and that of the Presbyterians. He had Laud's old antagonist, Williams, more politician than ecclesiastic, able and acute as well as aspiring, though wanting in character and ballast, on his side. An Usherian episcopate with exclusion of the bishops and clergy from secular office or power would have satisfied a large portion of the respectable and serious laity. But the avalanche of revolution once set rolling, moderate counsels seldom arrest its course.

Calvinism, it is necessary to remember, had been the doctrine of the English Reformation, and was at this time the established creed of the political classes, the gentry and the burghers. Arminianism and the catholicism which came in its train, though reactionary, presented themselves as innovations, and were resisted by the conservatism of the nation, till Puritanism, by assailing episcopacy and the Book of Common Prayer, aroused conservative feeling on the other side.

1635 Armed with the power of his archbishopric, and having the crown, the privy council, the star chamber, and the ecclesiastical court of high commission at his back, Laud at once set about the suppression of Puritanism. He carried the table back to the east end, cleansed and renovated the churches, forced the communicants to kneel, arrested iconoclasm, revived the ritual, and restored the clerical costumes, which he deemed the beauty of holiness. He set a striking example of ritualism, and one which gave special umbrage, by his ceremonies and genuflexions

in the consecration of the church of St. Catherine Cree. 1631  
The bishops, now mostly of his school, were set at work to enforce conformity, which they did with zeal, to the general irritation of the people, who, now used to Puritan ways, regarded ceremonial and even reverence as return to Rome. The Puritans had set up a preaching establishment of their own, supported by a fund in the hands of a board of trustees, like the Simeon trustees of a later time, that, while they formally attended the unsavoury performance of the state liturgy, they might hear the savoury preaching of the Word in their own way. These preachers Laud put down. To flout the Puritan Sabbath, the Book of Sports encouraged Sunday games. The congregations of protestant refugees from the continent, 1633 which had hitherto been allowed their own worship, were now broken up. This was the work of Archbishop Neile, court-sycophant and heretic-burner of the last reign, a sinister figure at Laud's side. Even to the chaplaincies of English regiments in the Dutch service, Laud's martinet rule was extended. Those, mostly peasants, who persisted in their free worship, with a Puritan clergyman at their head, were hunted down by the magistrates and pursuivants. Some of them fled first to Holland, then to New England, where, children of a grand destiny, they founded a religious community beyond the Atlantic.

Suspicious of a design to lead England back to Rome widely prevailed. Nor were they devoid of foundation. Certainly the suspicion of a tendency was not. What Laud himself wanted was probably to be a Lambeth pope. He had waged controversial war against the Jesuits, and when one who professed to speak for the pope offered him a cardinal's hat, he had put the offer



aside, not, it is true, in a very peremptory manner, saying that "something dwelt within him which would not suffer that till Rome were other than she was." Perhaps he might not have been unwilling to treat on an equality with Rome if it had been possible for Rome to treat. His suffragan and associate, Bishop Montague, declared at last for union with the papacy, and if Panzani, the papal envoy, spoke truth, expressed his belief that Laud, though more cautious, was of the same mind. But whatever the archbishop's aim might be, sacerdotalism, sacramentalism, and ritualism could hardly fail to draw men to the place to which those principles belonged. Conversions to Rome were numerous, not only among weak women of fashion, caught by ritual, incense, artificial flowers, and the fascination of Jesuit directors, but among men of the world and ministers of state, including no less than four privy councillors. Bishop Montague, it seems, would have gone over if Rome could have entertained his stipulation for the recognition of his orders, to which she of course said then, as she says now, *non possumus*. Bishop Goodman was believed to be an actual convert, though he retained his see. Worship of Mary began to creep into Anglican devotion, and there was an incipient revival of monasticism, though in an Anglican version. Panzani, visiting England, found that he was a centre of attraction and that the outlook for his cause was hopeful. The queen and her little circle plied all their arts, and formed a magnet for secession. This drama has been acted over again in our own day. Again we have been told that Anglican ritualism is the true antidote to Romanism; and again Anglican ritualism has sent a bevy of converts over to Rome. Besides, if sacerdotalism, sacramentalism, and

ritualism were to prevail, would it signify whether they were Anglican or Roman? That Lambeth was nearer than Rome would not make its yoke less oppressive. Nor would protestants of that day be made less sensitive by seeing that the fortunes of their cause over Europe were declining and a catholic reaction had set in. The Reformation had run its course of demolition; the work of reconstruction was not so easy. Dissension prevailed; sects multiplied, controversy raged, fanaticism and anarchism disgraced the cause. The catholic church presented unity, authority, and peace to the troubled in mind. To monarchs and monarchical statesmen she presented herself as the ally of political order. To the cultured she offered antiquity, majesty, and art.

There was as yet no legal censorship of the press, but the government, as the self-constituted guardian of the public mind, had assumed the censorship and now prohibited Puritan publications. Illicit publications of extreme violence were the natural result. For writings of violence certainly extreme against Laud and his system, Burton, a clergyman, Bastwick, a physician, and Prynne, a lawyer, representing among them the three great professions, were brought before the council. Prynne, a prodigy of dry legal erudition, a bitter Puritan, and a most indomitable controversialist, twice incurred the censorial wrath, once by a supposed aspersion on the character of the queen, who had taken part in an unhallowed masque. The punishments of these men, meted out by those whom they were accused of libelling, were scourging, pillorying, cutting off of ears, branding, and finally imprisonment in remote and lonely dungeons. John Lilburne, charged with printing and circulating Prynne's and other unli-

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1638

1630 censured writings, suffered the same punishments and was barbarously treated in prison. If Leighton, another victim, is to be believed the bishops were for the severest sentence, and when judgment had been pronounced Laud took off his cap, lifted up his hands, and thanked God, who had given him the victory over his enemies. Our indignation at Anglican inhumanity must be tempered by our recollection of Puritan inhumanity in the case of Floyd; and that case was not unique.

Puritan resentment was bitter. Apart from Puritanism, also, there was the general hatred of clerical meddling and domination which had manifested itself at other times. But there were no means of organizing a combined resistance. Everywhere the government had its officers and satellites. It could at once have raised or imported force enough to put down a rising, while its enemies were unarmed. Nor was there any newspaper press or quick postal communication to give unity to disaffection. The bishops reported to Laud that conformity was almost universal. There was but little work for the High Commission. But in an evil hour for himself Laud resolved to extend uniformity and impart his beauty of holiness to Scotland. Here he came into collision with a united and almost unanimously hostile nation, whose patriotism, moreover, since the transfer of the political centre to England, had assumed a specially religious form. James had succeeded in discrowning the Presbyterian theocracy, the political tendencies of which he with good reason suspected, while he had suffered under its long sermons, its extemporaneous prayers, and the uncourtly homilies of its ministers. He had restored episcopacy. In this he had been supported by the nobles,

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who were tired of ministerial domination, and by a reaction against Presbyterian narrowness and violence, of which the focus was the University of Aberdeen. But the old king knew the Scotch too well to attempt to force upon them an English liturgy. This Laud attempted. The result of his attempt was resistance fierce and general. The liturgy was doubly hateful to the Scotch people; in itself as a return to popery, and because it was imposed by England. A dress performance of it in St. Giles's Kirk at Edinburgh gave rise to a riot, with strong Scotch language and flinging of stools. Scotland blazed out into resistance, into rebellion. There followed a revolutionary convention of the four estates; nobles, clergy, land-owning gentry, and burghers, under the title of the Four Tables. Charles had already set the nobles against him by forcing them, righteously enough, to disgorge some of the plunder of the Kirk, as well as by putting ecclesiastics over their heads into the offices of state. A Solemn League and Covenant was framed and signed with enthusiasm by people of all classes. At Edinburgh it was laid out on a tombstone in the Grey Friars churchyard, while multitudes pressed round to sign with tears in their eyes. Those who put their hands to it "professed, and before God, his angels, and the world, solemnly declared with their whole hearts that they agreed and resolved all the days of their life constantly to adhere unto and to defend the foresaid true religion; and forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the Kirk, or civil places and powers of Kirkmen till they had been tried and allowed in the assemblies and in parliaments,

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to labour by all means lawful to recover the purity and liberty of the Gospel as it was established and professed before the foresaid novations." The Covenanters swore that they would "to the uttermost of their power, with their means and lives, stand to the defence of their dread sovereign, the king's majesty, his personal authority, in the defence of the foresaid true religion, liberties, and laws of the kingdom." These highly loyal rebels always rebelled against the king in the king's name. Hamilton, who managed for the king in Scotland, strove to stem or to divert the movement; but in vain. Being mainly religious, the movement presently found its organ in the general Assembly of the church, which, however, included a large lay element. By revolutionary acts of that Assembly episcopacy was swept away, and the Presbyterian polity was restored. Once more the preachers took the lead, with the great preacher of the day at their head. After Knox, Andrew Melville had judged the Scottish Israel. Alexander Henderson now judged it in his turn. Scotland rose up against Charles a revolutionary and theocratic republic. Its political leader was Argyle, chief of the greatest of the Highland clans, but a Lowland and Covenanting politician, the deepest and most ambitious of that class.

The Scotch Covenant had at once a blue-bonneted army of enthusiasm, including not a few soldiers trained in the German wars, and some who had fought under Gustavus. It had also an experienced general in old Alexander Leslie, whom, though he was a soldier of fortune, the nobles had the good sense to obey. Charles had no army, he had no general, he had no money. London, when he appealed to her for money, drew her purse strings tight.

Not only was she Puritan, but she was smarting under the sequestration of her lands in the north of Ireland for an alleged breach of the charter. The agitated mind of the king turned to Spain for aid. But though a king he was not a catholic, and Spanish theologians probably drew an impressive moral from his misfortunes. Rome, to which the queen with desperate imprudence was allowed to apply, answered that much might be done for the king if he were a catholic. Charles could only call out the raw militia of his kingdom by the exercise of his feudal power. Pay or feed his troops he could not. Consequently he could not maintain discipline among them. Their hearts were not with him in the quarrel; the hearts of many of them were against him; and those who were indifferent were estranged and exasperated by being dragged from their homes. The result, after a march to the border, was a miserable collapse on the king's side, followed by his half surrender and by an ambiguous treaty, which at once broke down, the king clinging to the hope of one day restoring episcopacy, with which Presbyterian Scotland was determined for ever to do away. Once more Scotland threw herself into an attitude of rebellion. Charles, in his extremity, called to him from Ireland his one thoroughly able man, Wentworth, and gave him a pledge of confidence, before refused, by creating him Earl of Strafford. By Strafford's advice he convoked parliament and appealed to it for supplies to put down the rebellion in Scotland. The Commons, under the guidance of Pym, whose experience of parliament enabled him to step into the leading place, replied in effect that they would grant the king supplies if he would recognize their supremacy alike in church and

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state, and conform his policy to their will, thereby in effect admitting that they were the sovereign power. A Remonstrance in that sense was framed by Pym. Not yet reduced to this virtual abdication, Charles dissolved the parliament and threw some of its bold spirits into prison. Convocation added to the flame by continuing to sit after the dissolution of parliament, voting a subsidy of its own, and passing, as a counterblast to the Scotch Covenant, canons proclaiming the necessity of episcopacy and the divine authority of kings. Strafford, his temper perhaps rendered more violent by gout, breathed war, and, if his words were rightly reported, laid it down in the council that the king, by the refusal of parliament to do its duty, was released from constitutional restraints, and at liberty, for the suppression of rebellion, to avail himself of any means in his power. Desperate expedients were employed to raise money; bullion was seized in the mint, and the currency was debased. By this time the Puritan leaders in England had opened communications with Scotland, and the ground was mined beneath the king's feet. A second expedition against the Scotch ended in worse disaster than the first. The English army refused to fight, the Scotch in their turn invaded England, and were received not as enemies, but as allies. The last straw at which the king caught to break his now inevitable fall was an assembly of the peers, called in the old form of the Grand Council, which, though superseded by parliament, still remained in constitutional existence. The peers could in the upshot advise nothing but the assembling of parliament. Parliament was called. The king came to the opening not in his usual state but humbly in his barge as a vanquished man.

The Long Parliament is truly so called, since it lived for twenty years, though part of the time in a state of suspended animation, and through all the phases of a great revolution. It may be said to have carried political England finally out of the middle ages.

Imperfect as the representation was, petty boroughs being controlled by the crown, while important towns were unrepresented, the sentiment of the hour prevailed, as it did in the election of the parliament which carried the Reform Bill of 1832. When the House of Commons met, political England, that is to say, the England of the land-owners, the yeomanry, and the burghers, was there. The peasantry and mechanics, for the most part, appear to have taken little interest in the controversy, and when at last they appeared on the field of civil war it was in the form of tumultuary bodies of clubmen rising in defence of their hearths and their bread against disturbers and plunderers of both parties. This was not, in its origin at least, a democratic revolution. It was a revolution of the gentry and the middle class. Its authors could defend themselves against an imputation of lawless tendencies by saying that it was not likely that such bodies as the two Houses of Parliament, filled with the "nobility and gentry" of the kingdom, should "conspire to take away the law by which they enjoyed their estates, were protected from any act of violence and power, and differenced from the meaner sort of people with whom otherwise they would be but fellow-servants."

Looking round the old chapel of St. Stephen, where the Commons sat, we see the chiefs of the parties, actual or eventual, of the revolution. There is Pym, soon accepted once more as the leader, King Pym, as he was

presently nicknamed, to whom Clarendon pays the compliment of saying that he was "the most popular man and the most able to do hurt that had lived in any time." There is Pym's second self, Hampden, the patriotic opponent of ship-money, of whom Clarendon says that he was "of the most discerning spirit, and of the greatest address and insinuation to bring anything to pass that he desired of that time, and who laid the design deepest." There is Vane, "young in years, but in sage counsel old," the most advanced of liberals, too advanced even for New England, which he had visited and disturbed. There is Oliver St. John, an enigmatic figure, nicknamed the "dark-lantern man" of his party. There is the fiery Strode, who had once held down the Speaker in his chair while patriotic resolutions were being passed. There is the highly intellectual Fiennes, with Genevan associations. There are representatives of Presbyterianism, such as Denzil Holles, Haselrig, and Stapleton, who in the course of the revolution will have their hour. There is Falkland, literary, refined, the centre of an intellectual and liberal circle, intensely sensitive and impulsive, who will go into civil war "ingeminating peace"; the type of the philosophic and literary liberals, most of whom, repelled by Puritan fanaticism, will, in the day of battle, sadly incline to the royalist side. There is Falkland's friend Hyde, afterwards Lord Clarendon, mentor of royalty and royalist historian that is to be. There are Digby and Culpepper, who, with Falkland and Hyde, will soon pass over to the reaction. There are the great constitutional lawyers, Selden, Whitelock, Maynard, and Glyn, whose views and aims, as political reformers, are bounded by the law. In this assembly are no Jacobins; hardly even Girondists.



Politically the most extreme man among them is Henry Marten, a republican, not of the Puritan, but of the Roman stamp.

In religion the extreme man is Oliver Cromwell, who represents the Independents in virtual, though not yet avowed, secession from the Anglican establishment. Cromwell is one of the members for Cambridge, in the eastern district, which is strongly Puritan. He is, in his own phrase, a gentleman, one of the younger branch of a family which had derived its wealth from the confiscation of the monasteries, and a relative of Hampden. He has been at a classical school, at Cambridge, at an Inn of Court. He is passionately religious, after having been, as he fancies, the chief of sinners, but endowed at the same time with practical capacity, which makes itself felt from the first, in spite of his uncouth garb and total want of grace and fluency as a speaker. Sir Philip Warwick sees him in "a plain cloth suit, which seemed to have been made by an ill country tailor, linen plain and not very clean, a speck or two of blood upon his band, which was unfashionably small, and a hat without a hat-band." "His stature," Warwick says, "was good; his countenance swollen and reddish; his voice sharp and untunable; and his eloquence full of fervour." Cromwell's eloquence, thereafter to be heard, was the thunder of victory. Warwick as a fine gentleman was scandalized at the attention paid to such a speaker.

In the House of Lords, too, there are notable men. A majority of the peers were Stuart creations, some of them for cash. But cash was not court favour, and the peers, though they had long lost their feudal independence, had acquired a certain independence of assured rank,

wealth, and dignity. The House was conservative, of course, and already under the Stuart parliaments there had been murmurings at their lukewarmness in the patriotic cause. Yet they had among them Puritans and reformers of mark, such as Bedford, Saye and Sele, Brooke, or Essex and Kimbolton, afterwards Manchester, the parliamentary generals that were to be. It was an age in which religious enthusiasm lifted men above rank and wealth.

London, the place of meeting, is Puritan and hostile to the court. The royalist historian calls it the sink of all the ill humours of the kingdom. In this as in the French Revolution the patriotism of the Assembly has the street on its side, and sometimes brings mob intimidation to bear. The London apprentices especially were always ready for a fray. The device of petitioning is also called into play, as Clarendon avers, and the art must have been already far advanced, if names which had been signed to a mild petition were cut off and appended to a stronger.

The line of cleavage between the parties in the Long Parliament, on which separation in the end will take place, is religious; it is the line between episcopacy and the Prayer Book as by law established, on the one side, and Presbyterianism or Congregationalism on the other.

Scotch commissioners are there to treat for peace, arrange a pecuniary indemnity, and at the same time support the Puritan cause; while the Scotch army encamped in England affords its moral support to its English friends.

Of the four hundred and ninety-three members who had sat in the Short Parliament, two hundred and ninety-four were returned again. But men who before had spoken of moderate remedies now talked in another strain. Pym told Hyde that they must be of another temper than they

were in the last parliament; that they must not only sweep the House clean below, but must pull down all the cobwebs which hung in the top and corners, that they might not breed dust and so make a foul House hereafter; that they had now an opportunity to make their country happy by removing all grievances and pulling up the causes of them by the roots, if all men would do their duties. Whence Hyde inferred that "the warmest and boldest counsels and overtures would find a much better reception than those of more temperate allay." Yet these men came in a spirit which could hardly be called revolutionary, since their object was, not like that of the French Revolutionists, to break with the past and make a new world, but to put a stop to what they deemed innovation, above all to Romanist innovation, on the part of the king and his advisers.

Charles had called to him Strafford. The earl knew his danger; but the king had pledged to him the royal word that not a hair of his head should be touched. He came, foiled, broken by disease, yet still resolute, prepared to act on the aggressive, perhaps to arraign the leaders of the Commons for treasonable correspondence with the Scotch. But he had to deal, in his friend and coadjutor of former days, with no mere rhetorician, but with a man of action as sagacious and as intrepid as himself. Pym at once struck a blow which proved him a master of revolution. 1640  
Announcing to the Commons that he had weighty matter to impart, he moved that the doors should be closed. When they were opened, he carried up to the Lords the impeachment of the Earl of Strafford. The earl came down to the House of Lords that day with his brow of imperial gloom, his impetuous step, his tones and



gestures of command; but scarcely had he entered the House when he found that power had departed from him; and the terrible minister of government by prerogative went away a fallen man, none unbbonneting to him, in whose presence an hour before no man would have stood covered. The speech by which Pym bore the House on to this bold move, so that, as Clarendon says, "not one man was found to stop the torrent," is known only from Clarendon's outline. But that outline shows how the speaker filled the thoughts of his hearers with a picture of the tyranny, before he named its chief author, the Earl of Strafford; and how he blended with the elements of indignation some lighter passages of the earl's vanity and amours, to mingle contempt with indignation and to banish fear.

Both Houses and almost all their members moving together, a clean sweep was made of government by prerogative. After Strafford, Laud was impeached and  
1641 thrown into prison to await his trial. Cottington, Finch, and other ministers of arbitrary government cowered or  
1640 fled. Prynne, Burton, and Bastwick were set free and came home in triumph, the people going out to meet them in thousands, strewing flowers in their way, and mingling shouts of welcome with fierce outcries against the bishops. Chambers was indemnified for his losses and sufferings.  
1641 Ship-money was abolished. Ship-money judges were called to account, and the most obnoxious of them, Berkeley, to make an awful example, was arrested on the bench of justice. The other fiscal supplies of arbitrary rule, as compositions for knighthood, forest claims and fines, were cut off, and an end was put to monopolies. Levying of taxes without consent of parliament was forever condemned.

The courts of star chamber and high commission were abolished, and the action of the privy council was reduced within constitutional bounds. The council of the north, the presidency of Wales, and other local remnants of arbitrary jurisdiction were swept away. Here the tide of change reached high water mark. After this the waves rose much higher, but not the tide.

To all this loss of prerogative Charles was fain to assent. He was fain to allow parliament to assume and exercise the supreme power while it wielded the besom of political reform. Still Charles was king. It was in his power at any moment to dissolve parliament, and to reduce its members to the condition of private men and subjects; nor could it meet again except by the king's command. The Scotch army, its present support and really in its pay, would then be paid off and gone. Thus government by prerogative might revive. Here lay the weakness of a parliament aspiring to be the government. To cure it an Act was passed, and received the enforced assent of the king, providing that parliament should be called at least once in every three years, and that if the king failed to issue the summons, it should be issued in his name by the chancellor, or in default of the chancellor by any twelve peers; and if no peers assembled for the purpose, the local officers should proceed to the election. This might be called a reversion to the old Plantagenet statutes, which prescribed annual parliaments, and in that sense might be constitutional. But a further Act was passed, forbidding the dissolution of the parliament then sitting without its own consent. This was a measure of revolutionary necessity, though veiled under the pretext that parliament was borrowing money to pay off the Scotch,

and could not give security to lenders unless its own existence were secured. The Commons also took the finances into their own hands; they granted large supplies, partly to pay off the Scotch, but themselves regulated the disbursement. As the revolution advanced they began to legislate under the form of Ordinances without the consent of the crown, and to exercise the executive power. They were, in fact, though unconsciously, drawing the sovereignty to themselves. This is the key to the political situation and at the same time the defence of Charles.

1641 It was not less fear of Strafford than resentment of his crime against the state that determined the Commons to take his life. His Irish army, believed to be intended for the subjugation of England, was his rankest offence; and that army still hung, or was believed to hang, a thunder-cloud on the political horizon. The vast hall of Westminster was made ready for the grandest political trial in English history, a trial to be compared rather to that of Strafford's master or to that of Louis XVI. than to the ship-money trial, to that of the bishops in the time of James II., or to that of Warren Hastings. The Lords formed the court. The hall was crowded with spectators whose excitement was at first intense, though as the trial dragged on listlessness ensued. The king was there behind a lattice, through which he broke in his eagerness to see. There he heard these words of Pym, "If the histories of eastern countries be pursued, whose princes order their affairs according to the mischievous principles of the Earl of Strafford, loose and absolved from all rules of government, they will be found to be frequent in combustions, full of massacres and of the tragical end of princes." The best speakers of the



Commons, Pym at their head, used all their eloquence. Nor was the quarry unworthy of the hunt. Strafford defended himself magnificently, and awakened much sympathy, especially among the ladies of rank. It was said that like Ulysses, though not beautiful, he had the eloquence which could inspire a goddess with love. He had to plead his own cause against the powerful array of managers for the Commons. He was allowed counsel only on points of law, it being held beneath the dignity of the Commons, as of the crown, to plead against advocates, as though anything were more undignified than injustice. The practice was a survival of the time when every man pleaded his own cause, and the advocate, as the Latin word and its Greek synonym import, came in only as a prompter or a seconder.

To bring Strafford's case within the treason law it was necessary to feign that he had levied war against the king. But the king had been his accomplice. So far as the statute was concerned he might well protest against the unfairness of the charge. The real charge against him was unknown to the law or hitherto to the constitution, treason against the nation, in "having endeavoured by his words, actions, and counsels to subvert the fundamental laws of England and Ireland, and to introduce an arbitrary and tyrannical government." Of this he was guilty, and if the proof does not seem to us complete, it seemed complete to the men of that time, who had the facts before their eyes. Those on whom he had trampled, or whose malpractice he had perhaps curbed as lord deputy of Ireland, bore hard on him with their testimony. But the most fatal piece of evidence against him was a paper of notes taken down by the elder Vane, who was secretary of state,

and abstracted by the younger Vane, of advice given to the king by Strafford in council, and importing or seeming to import that, parliament having refused supplies, the king was absolved from constitutional rules of government, and might have recourse to any means that he saw fit, including the employment of the Irish army, for the subjugation of England.

Pym put forth all his powers as an orator. And they were great. If his general style was argumentative, and even somewhat heavy and homiletic, he was capable of electric strokes, and sometimes makes us think of him as a very Puritan Mirabeau. To the charge of arbitrary government in Ireland, Strafford had pleaded that the Irish were a conquered nation. "They were a conquered nation!" cries Pym. "There cannot be a word more pregnant or fruitful in treason than that word is. There are few nations in the world that have not been conquered, and no doubt but the conqueror may give what law he pleases to those that are conquered; but if the succeeding pacts and agreements do not limit and restrain that right, what people can be secure? England hath been conquered, and Wales hath been conquered; and by this reason will be in little better case than Ireland. If the king by the right of a conqueror gives laws to his people, shall not the people by the same reason be restored to the right of the conquered to receive their liberty if they can?" Strafford had alleged good intentions as an excuse for his evil counsels. "Sometimes, my lords," says Pym, "good and evil, truth and falsehood, lie so near together that they are hard to be distinguished. Matters hurtful and dangerous may be accompanied with such circumstances as may make them appear useful and convenient. But where the mat-

ters propounded are evil in their own nature, such as the matters are wherewith the Earl of Strafford is charged, as to break public faith and to subvert laws and government, they can never be justified by any intentions, how good soever they be pretended." Again, to the plea that it was a time of great danger and necessity, Pym replies, "If there were any necessity, it was of his own making; he, by his evil counsel, had brought the king into a necessity; and by no rules of justice can be allowed to gain this advantage by his own fault, as to make that a ground of his justification, which is a great part of his offence." Skilfully he raises the minds of the judges from the factitious and technical to the real indictment. "Shall it be treason," he says, "to embase the king's coin, though but the piece of twelve-pence or sixpence? And must it not needs be the effect of a greater treason to embase the spirit of his subjects, and to set up a stamp and character of servitude upon them, whereby they shall be disabled to do anything for the service of the king and commonwealth?" To the objection, which was true enough, that the charge was novel, his answer is, "Neither will this be a new way of blood. There are marks enough to trace this law to the very original of this kingdom; and if it hath not been put in execution, as he allegeth, these two hundred and forty years, it was not for want of law, but that all that time hath not bred a man bold enough to commit such crimes as these." He takes always the high political ground. "To alter the settled frame and constitution of government is treason in any state. The laws whereby all other parts of a kingdom are preserved would be very vain and defective if they had not the power to secure and preserve themselves." Strafford might have retorted that to put the mon-



archy under the feet of parliament, as Pym was doing, was to alter the settled frame and constitution of government as much as they could have been altered by putting the parliament under the feet of the king. Once, we are told, while Pym was speaking, his eyes met those of Strafford's, and the speaker grew confused, lost the thread of his discourse, and broke down beneath the haggard look of his old political friend.

Oratory has from that time to this been a mighty power in politics, and its early masterpieces are momentous events.

The trial dragged and the Lords appeared to waver. The majority in the Commons growing impatient, overbore their leaders, who wished to demand a verdict on the impeachment, and determined to take judgment into their own hands by an Act of Attainder, thus once more confounding the legislative and judicial powers, as they had been confounded in early times. The bill passed by 1641 204 to 59, Falkland, and in all probability Hyde, with many others who afterwards became royalists, voting Aye. The vote of the Lords was still doubtful. Strafford's fate was sealed by a plot, of which the queen's circle was the centre, for bringing up the army which had been raised against the Scotch and lay not yet disbanded in the north, to overawe the parliament; a scheme like that by which Marie Antoinette and her evil counsellors precipitated the crash in France. The plot was betrayed. It furnished Pym with a subject for an appeal to the country, in the shape of a protestation of fidelity to parliamentary privilege and public right, and against the designs of papists, which was signed by all the Commons. Mobs threatening violence, the evil concomitant of revo-

lution, beset the Houses. The Bill of Attainder passed the intimidated Lords. Fear of the mighty enemy of parliament sealed his doom. When imprisonment for life was proposed, the answer was, "Stone-dead hath no fellow." At the last moment an attempt was made to deal with the situation in what is now the established way, by bringing the leaders of the opposition into office; but this was frustrated by the sudden death of the Earl of Bedford, a patriotic but moderate man, whose great personal influence might possibly have stilled the waves. Once more we have to acknowledge the force of accident in history. 1641

Charles had assured Strafford, on the word of a king, that he should not suffer in life, honour, or fortune. Could he now assent to the Bill which was the earl's death-warrant? Honour by the lips of Juxon said that he could not, and honour was the true policy. But the casuistry of Williams, with fear for wife and children, turned the scale. Strafford magnanimously gave the king back his pledge. Charles miserably haggled, and at last, induced by a misapplied distinction between his private and his public conscience, gave his assent. Bitterly he afterwards repented the act, and with good reason, for by it he was more than discrowned. In signing Strafford's death-warrant, in truth, he signed his own doom. Abdication would have been better; but had the king shown courage it is not likely that violence would have been used. Strafford died with a dignity which embalmed his memory, and they who, rejecting any plea for a milder course, said that stone-dead had no fellow, failed to see that the memory and the influence live. 1641

Had Charles been a strong man he might have frankly

thrown himself into the arms of parliament, with good hope of one day recovering part of his power. But if he had been a strong man he would never have been where he was. More than once in the course of the contest he or some one at his side seems to have thought of calling the leaders of the opposition into office and to have made overtures of that sort. He created patriots titular privy councillors. He offered Pym the chancellorship of the exchequer. But mutual confidence was fatally wanting. Feebly and irresolutely Charles manœuvred against a great tactician thoroughly informed of all his moves. Allowance, however, must be made not only for his natural desire to remain a real king, but for his natural belief that a real king was indispensable to the nation. In the manifestoes of all the patriot parliaments, in the speeches of all the patriot leaders, he might have found warrants for that belief.

1641 In political reform the patriots went together, dividing only on the Bill of Attainder, and in that case not on party lines. For ecclesiastical reform they went together up to a certain mark, which was, in effect, that of a thoroughly protestant church of England. They all concurred in throwing Laud into prison, abolishing his court of high commission, clipping his ecclesiastical jurisdiction, sweeping away his ceremonial, and presently in carrying back the communion table to the middle of the church, ordering the removal of images, crosses, candlesticks, and paintings, condemning the Book of Sports, and restoring the Puritan Sabbath, against which the Book of Sports was directed. They all concurred in quashing the canons which convocation made after the rising of parliament, and practically suppressing convocation as an independent legislature. They were all alike willing to reduce the



power of the bishops, and most of them were willing to disable churchmen from holding secular office and to take the bishops out of the House of Lords. Unhappily, they were also unanimous in demanding the execution of the penal laws against the popish priests, one of whom was put to death, while another was with difficulty saved by the king. But when it came to the abolition of episcopacy and of the Prayer Book, which the Root-and-Branch party, as it was called, demanded, the more conservative hung back, a rift opened, discord broke out, and a royalist party began to form itself on a religious line. There were reformers in the state who were not levellers, and who foresaw that, state and church being bound up together, a "parity" in one would be apt to bring with it a "parity" in the other. Liberals, such as Falkland, might shrink from the domination of a popular ministry as much as from the domination of the bishops. Conservatism was naturally prevalent in the Lords, who showed themselves unwilling to consent to the removal of the bishops from their House. The reaction was all the stronger because, the depths of opinion being stirred by revolutionary agitation, fanatical sectarianism had raised its head and mechanics were daring to preach. On the Root-and-Branch Bill, for the total abolition of episcopacy, the open rupture took place. Throughout this history and down to our own time we have occasion to mark the evils and the confusion which arise from a connection of the church with the state and the entanglement of political progress with ecclesiastical and theological disputes. The fallacy was natural, perhaps inevitable, but it was profound and its effects were deadly. At the root of all was the belief in dogma as necessary to salvation.

Charles had succumbed, but he had not acquiesced. He and his queen continue to negotiate for support in different, indeed in opposite, quarters; among the catholic lords of Ireland, at Rome, at Madrid, and in Holland, whose Stadtholder's heir now marries their daughter Mary. The king declares his intention of going to Scotland, ostensibly for the purpose of settling it and of disbanding the English army by the way, really to make himself a party among the Scotch nobles, ever ready for cabal, and perhaps at the same time to collect proofs of the treasonable correspondence of the English leaders with the Scotch. Failing to prevent his going, the leaders send a committee with Hampden at its head to watch him, and the precaution was soon justified by the bursting of a plot at Edinburgh against Argyle and the Covenanted leaders quaintly designated the Incident, in which figured the restless spirit of the young Montrose.

Then came like a thunder-clap the news of a great rebellion of the catholics and a massacre of the protestants in Ireland. The causes of the rebellion were race, religion, and confiscation of land, especially the last, together with the fear of a Puritan parliament and the contagion of political excitement. By the persecution of the native religion, the catholic nobles and clergy were driven to cast in their lot with the rebel peasantry, who might otherwise have been without leaders. That there was a terrible massacre of protestants cannot be doubted. Nor can we at once reject stories of special atrocity, however fiendish. Everyone knows of what Celtic frenzy in Ireland or in Paris is capable. It seems that besides those who were slain outright multitudes were driven from their homes to die of cold and want. That the excited imagination of the sur-

vivors saw ghosts is no proof of the unreality of the massacre. There must have been something to excite their imagination. The shock in England was as that of a Cawnpore on a large scale and close at home. Charles was said to have used words importing that he regarded the catastrophe as rather an opportune diversion. To know whether he was himself entirely free from blame for the outbreak we must be better informed as to his dealings with the catholic nobles of Ireland.

Pym and the leaders, apprised of the machinations in Scotland, appalled by the news from Ireland, and probably not unaware of the incessant intrigues of the queen, felt that they were now standing on a mine. About this time an attempt was made to assassinate Pym. A letter was handed to him in the House from which, when it was opened, dropped a rag taken from a plague-sore, and intended to give him the plague. Violence was in the air. Pym resolved on the momentous step of an appeal against the crown to the people. It took the form of the Grand Remonstrance, a manifesto rehearsing in two hundred and six clauses all the abuses, misdeeds, and usurpations of Charles's government, civil and ecclesiastical, since the beginning of the reign, magnifying the services and achievements of parliament in obtaining redress and reform, and ending with a demand for more complete safeguards, notably for the right of excluding from the king's council all who had not the confidence of the Commons; a right which if conceded would have in effect given parliament the control of the executive government. There was, of course, the ever-recurring and ever-hateful demand for the execution of the penal laws against the catholics. To reassure the timid on the religious question and prevent a



split, the reformers declared that it was far from their purpose or desire to let loose the golden reins of discipline and government in the church, leaving particular congregations or private persons to take up what form of worship they pleased, inasmuch as they held it requisite that there should be throughout the whole realm a conformity to that order which the laws enjoined according to the Word of God. For church reformation a general synod which would not be, like convocation, under the control of the crown and the bishops, was to be convened. In the list of royal misdeeds the slow murder of Sir John Eliot was not forgotten; Pym and Hampden no doubt remembered it well, and took it as a warning against trusting themselves to the hands of Charles. The final debate on the Grand Remonstrance was a pitched battle between the two parties of revolution and reaction, now distinctly separated from each other. It was one of the great oratorical contests of history. A debate was not then a series of speeches addressed to the public outside with little thought of influencing the vote; it was a struggle for victory in an assembly still deliberative. The speakers here were of the highest order, the fight was for the life of the revolution, and the excitement was intense. Unhappily, only the barest outline of the speeches remains to us. After being fiercely debated from early morning till midnight, the Remonstrance was carried by 159 to 148. So electric was the atmosphere that the attempt of one of the minority to enter a protest brought on a storm in which members not only shouted and waved their hats wildly, but handled their swords, and but for Hampden's presence of mind might have sheathed them in each other's bowels. Cromwell said that if the motion had been lost he would have gone to New

England. We may be sure that he would not have fled from a shadow. In the impossibility, as the leaders deemed it, of relying on the good faith of the king, and the consequent insecurity of all that had been won, must be sought the justification of a step beyond doubt revolutionary and tending to civil war. The royalist historian admits that Charles had made concessions lightly because he was advised that having been made under compulsion they might afterwards lawfully be withdrawn. That the court was all along meditating a forcible resumption of its power seems to have been sufficiently proved. In the queen's circle plottings for bringing up the army to coerce parliament were always going on, negotiations for foreign aid in different quarters were always on foot, and applications were always being made for assistance to the pope, whose terms were the king's conversion.

Charles returned from Scotland in a hopeful mood. He had made his peace with the Covenanting Earl of Argyle, now master of that country. At the same time he had seen the germ formed of a royalist party, foremost in which, though lately so zealous for the Covenant, was Montrose. He probably believed himself to have found proofs of the correspondence of the English leaders with the Scotch. In his absence events had been working in his favour. The seething of the revolutionary cauldron and the appearance of anarchic forces on the scene had awakened a reaction among the wealthier classes. The people were probably galled by the taxation which the parliament had been compelled to impose in order to provide the Brotherly Aid demanded by the Scotch. The fascinating queen had skilfully plied her arts. Charles

1641 was welcomed to London, and was splendidly feasted at Guildhall by a royalist who had been elected Lord Mayor. He felt confident, and received the Remonstrance with a light heart. Meantime the plot was thickening. Disbanded soldiers and other violent partisans of the court were gathered round the palace at Westminster. There were affrays between them and the city apprentices. The nicknames of Roundhead and Cavalier were heard. Mobs surrounded the Houses. The bishops, being hustled and insulted when they went to the House of Lords, withdrew, and in an unhappy moment protested that in their absence the proceedings of parliament were void, for which ten of them were, with the revolutionary violence which now reigned, impeached and imprisoned. The appointment by 1641 the king of Lunsford, a desperate character, to the governorship of the Tower naturally filled the Commons with alarm. Charles, in his wiser mood, had called into his councils Falkland, Hyde, and Culpepper, constitutional royalists who, if he had listened to their advice, might have guided him aright. But less wise counsellors, the brilliant and restless Digby, a convert to royalism, and the queen, turned his wavering mind to a less prudent course. 1642 He ordered his attorney-general to proceed against five members of the House of Commons, including Pym and Hampden, and one member of the House of Lords, Kimbolton, afterwards Earl of Manchester, for high treason. The House of Commons refused to give up the five members. Charles, goaded on by his wife, who called him a poltroon, and bade him pull out the rogues by the ears or never see her again, went in person with an armed train to arrest the members in the House. But the queen had betrayed the plot to a faithless confidante. The birds had



flown. Speaker Lenthall, questioned by the king, could neither see nor hear but as he was commanded by the House. If Charles had ever meditated further violence, which probably he had not, his resolution failed him, and he departed with his train. But all hope of peace was gone. The House took refuge in the sympathizing city, whence it returned in triumph; while a great body of freeholders rode up from Buckinghamshire to tender their support to Hampden. The king left Whitehall, whither he was to return only to die. Hollow negotiations went on, each party manœuvring for the weather-gage of public opinion. To the exclusion of the bishops from the House of Lords the king assented, probably at the instance of the queen, who, as a catholic, cared little for heretic bishops, and little for the heretic church altogether, so long as her husband kept the sword. The ultimatum of the Commons was the control of the king's council, in effect of the executive government, with the command of the military force; concessions which would practically have reduced the monarchy to a constitutional figurehead. Charles's answer was decisive. To the suggestion that he might resign the command of the military force for a time he replied, "By God! not for an hour; you have asked that of me in this, was never asked of a king, and with which I will not trust my wife and children." Then came civil war. 1642

The voice of the cannon was preceded by volleys of paper missiles from both sides. A stately war of manifestoes was waged between Pym for the Commons and Clarendon for the king. Clarendon had the best of it, since it was impossible to prove that revolution was constitutional. Yet Pym was wise in doing his best to persuade a law-loving people that the revolution had law on its side. 1642

It was on a political issue that the parliament finally broke with the king. But the religious question between Anglican and Puritan was the deepest after all. Loyalty to the person of the king, however, had become a tenet of the Anglican church, and apart from religion was strong among the upper gentry. As a distinct principle of action it is perhaps now avowed for the first time. "I have eaten the king's bread, and served him near thirty years, and I will not do so base a thing as to forsake him, and choose rather to lose my life (which I am sure I shall do), to preserve and defend those things which are against my conscience to preserve and defend: for I will deal freely with you, I have no reverence for the bishops for whom this quarrel subsists." So spoke Sir Edmund Verney, the king's standard-bearer, and there were many who though they had not eaten the king's bread, thought themselves like him bound, in whatever cause, to fight for the king. Sir Ralph Hopton, Sir Bevil Grenville, and Sir Jacob Astley were noble specimens of a worship of royalty which, if the idol in its shrine is sometimes an ape, is still devotion and not interest, at least not the interest of the individual man, but the sublimated interest of his class.

All wars are evils, and a civil war is far the greatest. But civil war, like international war, will remain a possibility till political science, or something clear of passion and self-interest, reigns. If socialism insists on confiscating property, and property is resolved to resist confiscation, there will be civil war; and it may be open to doubt whether the arbitrament of force is morally much worse than the arbitrament of factious strife, with the malignity, the trickery, the lying, and the corruption which it involves. That there must be a national religion, and

all must be required to conform, was the belief of both the great parties at this time, the light of religious liberty having as yet dawned but on few minds. To decide whether the religion should be protestant or anti-protestant, and at the same time whether the king or the parliament should be supreme, was in that age hardly possible save by the sword.

Sir William Waller writes to his friend and antagonist, the royalist general, Sir Ralph Hopton, "My affections to you are so unchangeable, that hostility itself cannot violate my friendship to your person. But I must be true to the cause wherein I serve. . . . That great God who is the searcher of my heart knows with what a sad sense I go upon this service, and with what a perfect hatred I detest this war without an enemy. . . . The God of Heaven in His good time send us the blessing of peace, and in the meantime fit us to receive it! We are both upon the stage, and must act such parts as are assigned us in this tragedy. Let us do it in a way of honour and without personal animosities." It was not only friend against friend and neighbour against neighbour, but father against son, son against father, brother against brother, while women's hearts were to be torn between the husband who fought on one side, the father and brother who fought on the other. Those who last Christmas had met round the same festive board were before next Christmas to meet in battle.

Yet this civil war of Englishmen was, on the whole, carried on as Sir William Waller had prayed; and, if by no means without personal animosity, or without cruelty, at least without the savage cruelty which has marked the civil wars of some nations. It was waged, on



the whole, as a war of principle, the war of a self-controlled and manly race. Atrocities there were on both sides, most on that of the Cavaliers, whose leader, Rupert, had been trained in savage German war. Towns were sacked; 1645 Leicester, for instance, was cruelly sacked by the royalists. There was plundering, chiefly on the side of the Cavaliers, while the Roundhead armies subsisted more on regular exactions. There were cases of garrisons slaughtered when resistance had ceased. But England was not wasted as Germany was wasted by the armies of Mansfeld and Wallenstein. The laws of war were generally observed, and quarter was usually given. Only with the hapless Irish, alien in race and in religion, who had set the example of massacre, war was internecine. To them no quarter was given; even their female camp-followers were put to the sword. The women of Lyme, finding an Irishwoman left in the abandoned camp of the besiegers, set upon her and tore her to pieces. There appears to have been comparatively little interruption in the general course of life and of law. The war was entered upon, too, by the Commons at least, in the right spirit as a most mournful necessity, with public humiliation and prayer. The playhouses were closed by the ordinance of parliament, as in a time of national sorrow. These hypocrites, say royalists, knelt down to pray, and rose up again to shed innocent blood. Does not every religious soldier, when he goes into battle, do the same?

Those who give the signal for civil war are bound to have its object and the conditions of peace clearly in view. To put out with the ship of state on a raging sea without knowing for what port you are making would be the height of folly and of crime. What did Pym and

Hampden mean to do with the church and commonwealth when they had beaten the king? The church, of course, they meant to make Puritan, probably with an episcopate unmitred and reduced in power; for neither of them was in principle opposed, as were the Presbyterians and Independents, to that form of church government. As to the commonwealth, both of them were monarchists, though they wished to put the monarch under parliamentary control. Yet they could never have set Charles again upon his throne. That no faith could be placed in his pledges and concessions, however solemn, was their motive and justification for drawing the sword. Probably they would have done what was done by their political heirs in 1688; they would have kept the monarchy, but changed the dynasty. Lewis, the young Elector Palatine, son of that protestant idol, the Electress Elizabeth, had appeared in England, and the eyes of the people had been turned to him. It seems not unlikely that, had the party of Pym and Hampden prevailed, he might have been called to the constitutional throne to which the patriots of 1688 called William of Orange.

Parliament levied war against the king in the king's name, pretending that it sought to secure him from the hands of bad advisers, Malignants, as they began to be called, and that its commands to fight against him were his commands transmitted through the two Houses as his constitutional mouthpieces. But this fiction did not prevent it from organizing itself as a revolutionary government, with an executive committee of which Pym was the chief; from raising an army; from supplying itself with money by the exercise of the taxing power; or, when the keeper of the great seal had carried it away to the king, 1644

1643 from making for itself a new great seal. It passed Acts,  
calling them Ordinances. The king in time called a par-  
1644 liament of his own at Oxford, widening the gulf between  
him and Westminster. At Westminster the Commons were  
practically the parliament. The Lords had for some time  
been feeling the influences of their rank and wealth, and  
falling behind the Commons in revolutionary zeal. They  
had needed to be told that if they would not do their  
part in saving the nation, the Commons must save it by  
themselves. Secession soon reduced them to a handful,  
and they sank by degrees into an appendage of the Com-  
mons, preserved for the sake of the constitutional forms  
to which with English tenacity the revolutionists clung.  
London being the mainstay and the treasury of the cause,  
its council had a share of power, and by Cavalier scof-  
fers the revolutionary government was called the Common  
Council, the Commons Council, and the Three Lords.

Ecclesiastical as well as political supremacy was grasped  
by the revolutionary assembly. Episcopacy was swept  
aside, and the bishops' lands, with those of the cathedral  
chapters, were presently thrown into the revolutionary  
1643 treasury. To an assembly of one hundred and twenty-  
one divines, sitting at Westminster, parliament entrusted  
the arduous task of framing a national church, with its  
creed and form of worship, after the Puritan model. Of  
the divines, almost all, including the prolocutor, Dr.  
Twisse, were Presbyterians bent upon imposing on the  
nation that rule which they deemed of divine institution;  
but which, while it would have saved from priestcraft  
and thaumaturgy, would have laid on free thought and  
spiritual liberty a yoke hardly less heavy than was that  
of Laud and would have cast a still darker shadow than



was cast by Laud's despotism over social life. A few of the members, headed by Goodwin and Nye, and classed as Independents, were for the Congregational system and generally inclined towards that which these men called Christian liberty, and the Presbyterian abhorred as toleration. A few Episcopalians had at first been nominated for appearance' sake, but they at once dropped out. The Erastian principle of state control over the church was effectively represented by the learned Selden, with some other lawyers, to the great annoyance of the theocratic Presbyterians. All, Presbyterians and Congregationalists alike, were still for a national church, which they deemed the ordinance of God, though how to frame a national church on the Congregational plan was a problem which the Congregationalists found difficult to solve.

The economical and political map of England was widely different then from what it is now. The north and north midland were backward, aristocratic, and still half feudal. Only in a few little clothing-towns, such as Manchester, Leeds, Bradford, or in Birmingham already noted for its iron work, had the germs of the manufacturing industry, and with them of radicalism, begun to appear. Wales and the west of England were, like the north of England, economically backward and controlled by local magnates. Wales still retained, with the Celtic speech, something of her old nationality and her antagonism to England. The regions of commerce, manufactures and the political sentiments connected with them, were in the south and east, and here the parliament had power. London was the core and the mainstay of the Puritan cause, as well as the seat of the revolutionary government. It was Presbyterian, and a limit was put

to its revolutionary tendencies by its wealth. In the south and east, especially in the east, were the homes of a stout yeomanry, Independents in religion, and destined to supply the military sinews of the cause. A line drawn from Hull to Southampton would roughly divide the country of the parliament from that of the king. But Bristol, Gloucester, and Plymouth, though west of that line, were, as trading cities, for the Commons. Parties, however, were everywhere more or less mingled. London was the military as well as the political centre of the parliament. That of the king was Oxford, the advanced post of his loyal west and the base of his operations against London.

Of the social classes, the nobles were now for the most part on the side of the king, though a few still adhered to the Commons. The wealthy gentry also, though with not a few exceptions, were on the king's side. So were the Anglican clergy, especially those of the cathedral cities. So were the universities, Oxford more intensely than Cambridge, which was in some degree under the influence of the Puritan eastern counties. Though the division of parties did not strictly coincide with that of classes, the Cavaliers' was decidedly the patrician, the Roundheads' the plebeian cause. The royalist historian could complain after a battle that the losses were very unequal, because while on the side of the parliament some obscure officer was missing, or some citizen's wife bewailed the loss of her husband, on the king's side twenty persons of honour and quality had been slain. This became more marked as the war went on and the thoroughly plebeian Independents pushed themselves to the front on the parliamentary side. The catholics, who largely belonged to old families in the north, were on the side of the king, not because they

loved him, but because they feared and hated his Puritan enemies, who were always thirsting for their blood. Their hearts also turned to his catholic queen. Connection with them did the king as much harm as their sympathy and aid did him good. Nor did he shrink from throwing them over when he thought it would serve his turn. Some aid he got from the catholics of Ireland, with whom he carried on irresolute intrigues. But he paid dearly for that aid in the fury of popular wrath which was aroused by any connection with rebel Irish and papists steeped in protestant blood.

Of assistance from abroad the king got little, though he tried in all quarters, in France, in Spain, in Holland, in Denmark, and was ready even to bring on England the mercenary bands of the Duke of Lorraine. A harvest of national odium was what he chiefly reaped by these attempts. The aim of Mazarin, the crafty Italian who now ruled the councils of France, was to weaken England by division. Catholic monarchs at last looked on with folded hands at the catastrophe of a heretic throne. By the house of Orange, allied by marriage, sympathy was shown and aid was lent, thanks largely to the exertions of Henrietta, a brave and energetic woman, who, while she brought folly and violence to the king's councils, infused spirit into his war.

Heavy cavalry was once more the principal arm, and this at first gave an advantage to the royalist gentry, who were horsemen. The infantry was composed partly of pikemen, partly of musketeers with matchlocks, the two forces being awkwardly combined. Besides the regular, or, as Clarendon calls them, commanded, foot, irregular and half-armed levies were brought into the field.



Artillery, both siege and field, was weak till it was improved by Cromwell. Thus the castellated mansions of the great nobles served as fortresses. Basing House, the palace of the Marquis of Winchester, in Hampshire, stood three sieges before it was taken by Cromwell. The nobles and gentry had been used to command and their tenants had been used to obey. This gave the royal army the advantage of a natural organization till reverses had taught the soldiers of the parliament the necessity of discipline. The southern aristocracy of Planters had at first the same advantage over the northern democracy in the American civil war. The king had a first-rate leader of cavalry, as far as dash and enterprise were concerned, in his young and fiery nephew, Prince Rupert. The parliamentary commander-in-chief, Essex, son of queen Elizabeth's hapless favourite, and divorced husband of her who was afterwards Lady Somerset, had been chosen rather for his rank and popularity among the soldiery than for military genius, though he was a good soldier, and amid all temptations and annoyances remained thoroughly loyal to his cause. The fleet was on the side of the parliament; the traditions of the navy since its battles with Spain would be protestant. Parliament thus commanding the sea could debar the king from foreign aid.

Of money the king was always in want. He had to depend on gifts and loans from his partisans, college plate, and other casual subventions. The parliament could draw from the long purse of London and, commanding the wealthy districts, it was able to levy regular taxes, to which the financial genius of Pym, who had been bred in the exchequer, added an excise upon all articles of

consumption. Recourse was had, however, almost from the first, to a worse source of revenue, the sequestration of the estates of those who were styled Delinquents. Lack of pay compelled the king's troops to subsist by plunder, to which Rupert, trained in German wars, was of himself prone; they thus set the people against them and impaired their own discipline at the same time.

Among the Cavaliers were gentlemen, not less religious than honourable, and as virtuous as any Puritan. Grenville had prayers said at the head of all his regiments before battle. But as a rule the Cavaliers were the party of loose morality, free living, and profane language. Their friends deplored the license, riot, and blasphemy of their camps. They affected the extreme opposed to Puritanism, and there was a hypocrisy on the devil's side as well as on that of God. Among the Roundheads, while there was much canting pharisaism, there was also a stricter morality; the morality of the best corps was extremely strict; and this told both in the field and with the people.

While the war of the sword went on the war of the pen did not cease. Pamphleteering was active on both sides. Now political journalism, combining news with editorial comment, has its birth. On each side there is a *Mercury* giving its one-sided intelligence with its party judgments. Out of the throes of revolution a new power has been born.

With the details of war political history does not deal. The king sent forth his Commissions of Array, the parliament voted his commissioners traitors, and raised an army for the defence of the king and parliament. The closing of the gates of Hull against the king by the

- 1642 Hothams was the first blow. Charles set up his standard at Nottingham, and the wind by blowing it down gave an omen of his fate. A large resort to his camp showed at once the reaction produced by the revolutionary proceedings of the parliament. Moving southwards from
- 1642 Shrewsbury, he encountered at Edgehill the army of the parliament under Essex, better equipped and, as its employers thought, sure of an easy victory. Instead of an easy victory, there was a drawn battle, which would have been a victory for the king had not the fiery Rupert, after breaking the parliamentary horse, galloped off in pursuit and left the enemy to recover the field. Edgehill was a confused hustle of untrained masses under inexperienced commanders. But the gentry who fought for Charles showed their superiority to the hired troopers of the parliament. Cromwell, who commanded a troop of parliamentary light horse, saw that the moral force was with the king, and that, to beat loyalty, enthusiasm must be enlisted by the parliament. "Your troops," he said to his cousin Hampden, "are most of them old decayed serving men and tapsters, and such kind of fellows, and their troops are gentlemen's sons and persons of quality. Do you think that the spirits of such base and mean fellows will ever be able to encounter gentlemen that have honour and courage and resolution in them? . . . You must get men of a spirit, and take it not ill what I say—I know you will not—of a spirit that is likely to go on as far as gentlemen will go, or else you will be beaten still." In those words lay the secret of ultimate success.
- 1642 Charles advanced to London and was not far from ending the war at a blow. Milton's sonnet pleading for the



Muses' bower against the violence of the captor is the sweet memorial of the city's alarm. Londoners, however, were more warlike then than they are now, and the trained bands under Skippon behaved well. The parliamentary general, Sir William Waller, had a run of success which earned him the title of William the Conqueror; but fortune presently turned against him and his army was destroyed. Bristol fell, weakly surrendered, as a court-martial found, by its intellectually brilliant governor, Nathaniel Fiennes. In the north the Fairfaxes, father and son, after some gallant exploits, performed in conjunction with the radical populations of the little clothing-towns, were overthrown at Adwalton Moor. Hampden, the second chief, and perhaps the moral pillar of the parliamentary cause, went from a skirmish at Chalgrove Field, clinging to his horse's neck, with a wound of which in a few days he died. Pym, the political pillar of the cause, sank beneath his load of toil and care, and was interred in Westminster Abbey with heraldic pomp which showed that so far at least this was a gentleman's revolution. Before he died he had to combat a peace movement, to face peace mobs crying that he was a traitor and threatening to tear him to pieces, to deal with a conspiracy, in which the poet Waller was concerned and narrowly escaped with his head, for the betrayal of London to the king. His last service was a visit to the camp of Essex to assure himself of the loyalty of the commander. There were flights of peers from London to Oxford, and had not the queen's temper repelled them, there would have been more.

1643

1643

For the first two years and a half fortune mocked the sanguine hopes of the parliament. The turning-point is

commonly taken to have been the siege of Gloucester, formed by Charles and raised by Essex, who marched from London with an army largely composed of the city trained bands. In the battle of Newbury, fought by Essex on his retreat, the trained bands showed that the citizen was still a soldier. Here fell Falkland, throwing away his life, as it seems, when he saw that the hope of peace was gone. It is in the siege of Gloucester that we get a glimpse, through Clarendon, of the middle class Puritan who furnished a subject for "Hudibras." The king having sent a trumpet with a summons, "within less than the time prescribed, together with the trumpeter, returned two citizens from the town, with lean, pale, sharp, and bald visages, indeed faces so strange and unusual, and in such a garb and posture, that at once made the most severe countenance merry, and the most cheerful hearts sad; for it was impossible such ambassadors could bring less than a defiance. The men, without any circumstances of duty or good manners, in a pert, shrill, undismayed accent, said they had brought an answer from the godly city of Gloucester to the king; and were so ready to give insolent and seditious answers to any question, as if their business were chiefly to provoke the king to violate his own safe conduct." The answer of the godly city was, "We, the inhabitants, magistrates, officers, and soldiers, within this garrison of Gloucester, unto his Majesty's gracious message return this humble answer; That we do keep this city, according to our oaths and allegiance, to and for the use of his Majesty and his royal posterity; and do accordingly conceive ourselves wholly bound to obey the commands of his Majesty, signified by both Houses of parliament: and are resolved, by God's

help, to keep this city accordingly." To the constitutional figment embodied in this answer the Roundheads adhered with a truly English tenacity of forms.

Necessity had by this time compelled the leaders of the parliament to stretch out their hands for aid to the Presbyterians of Scotland. Dire the necessity must have been if it could constrain Liberals like Vane and Marten to accept not only the alliance but the yoke of an austere and narrow theocracy which maintained that Presbyterianism was divine; which held the dark creed of Calvin; which, through its church courts, exercised a searching inquisition into private life; which enforced the Mosaic Sabbath; which within a few months put thirty witches to death in one county. Only to the Presbyterian party in parliament union with the Kirk would be welcome. As the conditions of their assistance the Scotch required that England, besides paying them well, should enter into a Solemn League and Covenant for the religious union of the two kingdoms; in other words, for the establishment of Presbyterianism in both of them. Parliamentary England did take the Solemn League and Covenant, though for the most part with a wry face, and not without furtive exceptions. Acceptance became the regular test of the party. A Scotch delegation was admitted to the Assembly of Divines. The Assembly framed an ecclesiastical polity on the Presbyterian model which was approved by parliament and was set on foot in London, Lancashire, and, less perfectly, in some other districts. London saw a provincial Presbyterian synod. With the polity was combined a Presbyterian confession of faith which is still the doctrinal standard of the Scottish church, embodying the extreme principles of

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Calvin, and declaring that "by the decree of God for the manifestation of his glory some men and angels are predestinated unto everlasting life, and others fore-ordained to everlasting death." But the generally slack and imperfect adoption of the system in England showed that there was little enthusiasm for it among the people. In England there had been no John Knox. The English parliament, though it might be Presbyterian, was not theocratic and had no intention of placing itself and the kingdom under ecclesiastical domination. It remained true to lay supremacy, the characteristic of the English Reformation of which Selden and his circle were the resolute upholders. While it accepted the Presbyterian constitution and the profession of faith framed by the Westminster Assembly, it firmly insisted upon keeping for itself the supreme jurisdiction and the power of the keys, which was to be exercised by a parliamentary commission. It sharply questioned the claim of the Presbyterian organization to be divine, and read the Assembly a severe lesson on that subject. High-flying theocrats, especially those of the Scotch delegation, deplored such Erastianism, but in vain.

Nor could the Scotch and English Presbyterians by their combined force succeed to anything like the full extent of their fanatical wishes in excluding toleration, a monster in their eyes hardly less hateful than in those of an Inquisitor, though neither they nor any other protestant sect ever, like the Inquisition, carried the rack into the recesses of conscience. Heresy, unchained by civil discord, was presenting itself to their alarmed and horrified eyes, not only in the decorous and respectable forms of the Congregational Independents, such as Goodwin and

Nye, or in the comparatively decorous and respectable forms of Cromwell and his religious circle, but in those of Anabaptists, Anti-Trinitarians, Antinomians, Anti-Scripturists, Anti-Sabbatarians, Millenarians, Soul-Sleepers or Mortalists, Seekers, Familists, Fifth-Monarchy Men, Libertines, Muggletonians, Ranters, and all the wild sects bred by disordered fancy and ignorant interpretation of inspired scriptures in a time of feverish excitement. Antinomianism was accused, and very likely in the case of some maniacs with justice, of sanctifying license and even crime, as Munzer and John of Leyden had done in their day. Society as well as the church seemed to be threatened by an anarchy not only spiritual but moral. Among the moral anarchists was numbered John Milton, who, amid the din of political controversy and the clash of civil arms, was passionately pleading, as an unhappy husband, for liberty, not to say license, of divorce. Parliament at last under Presbyterian domination passed an ordinance for the punishment of heresy and blasphemy, and in the case of capital heresies, such as the denial of the Trinity or the Incarnation, with death.

A joint committee of both kingdoms was formed as an executive. In it a historian sees a foreshadowing at once of a union of England with Scotland, and of the cabinet system of government.

This was the hour of Presbyterian ascendancy in the parliament. Presently Laud, who, since his impeachment, had been in his prison, and through its bars had blessed Strafford on the way to execution, was brought to the block under a thin pretence of high treason, really as a popish innovator and an enemy of the Kirk. The old man was harmless, and his execution was one of the most

savage, and, as a perversion of the treason law, one of the most noxious, among the acts of the revolution. It made him a party saint; and in our day he has been well-nigh canonized by ritualists, in whom he and his school live again, and who go nearer than he went to Rome, far outrunning the ceremonialism by which he gave offence in his consecration of the church of St. Catherine Cree. Persecution of catholic priests and witch-burning also marked and disgraced the Presbyterian's reign.

- 1643 In the darkest hour of the parliamentary cause the light of hope had continued to shine in the Associated Eastern Counties. There the Puritan yeomanry was strong. There, under the Earl of Manchester, commanded Oliver Cromwell, who, taking up the soldier's trade at the age of forty-two, had made himself a first-rate leader of cavalry, and had shown his insight into the situation and his appreciation of moral force by forming among the yeomen of his district a corps in which strict discipline was united with fiery enthusiasm, and which presently earned for itself the name of the Ironsides. The Scotch army, under
- 1644 Lord Leven and David Leslie, had entered England. Forming a junction with it, the parliamentary forces of the north under the Fairfaxes, and those of the Eastern Counties' Association under Manchester and Cromwell,
- 1644 laid siege to York. The city was held by the Marquis of Newcastle, a characteristic figure of the age, at once a lord of the still half-feudal north with a great body of retainers, and an elegant grandee of the Renaissance. To save York Rupert rushed from the south. He raised the
- 1644 siege, but, not content with that exploit, resolved, against the advice of the marquis, to fight a pitched battle. On
- 1644 the edge of Marston Moor, near York, the two armies,



with a few yards of ground and a ditch between them, faced each other through a midsummer afternoon. In the evening, when the marquis had retired to his carriage, over-tension or accident brought on a battle, which came, not as it comes now, with long-range firing and advance of skirmishers, but with sword-stroke, with push of pike, and with the shock of masses of mailed cavalry hurled against each other. Rupert's fiery charge broke the Roundheads in his front, but his headlong pursuit of them left the field to be won by Cromwell, who, having also broken the troops in his front, kept his well-disciplined men in hand and turned the day. The result was a complete and bloody victory for parliament, with the loss of the north for the king. The regiment of Newcastle's retainers, called the Whitecoats, showed their northern valour and their feudal fidelity by falling every man in his rank.

Marston was an Independents' victory, and Cromwell, the leader of the Independents, did not fail to dwell upon that fact. "It had all the evidences," he said, "of an absolute victory obtained by the Lord's blessing upon the godly party principally." Of the Scotch, while some had done much more than Cromwell chose to admit, some had shared the partial rout of the left wing. Their general had been swept off the field in the press, and royalists delighted to say that he had been taken up by a village constable.

Now came the inevitable division between the Presbyterians, who wanted the exclusive establishment of their rigid system of church government without toleration of any other sect, and the Independents, of whom the more moderate, such as Goodwin and Nye, wanted Congrega-

tional liberty bounded by sobriety of doctrine, while the more thorough-going wanted non-conformity and enthusiasm without bounds. The division between Presbyterians and Independents coincided in the main with that between the patrician and plebeian sections of the parliamentary party. Cromwell had no hatred of gentlemen; he said that he honoured a gentleman who was so indeed; he called himself a gentleman in speaking of his birth. But he wanted good soldiers, and the low-born man as well as the sectary who could fight was welcomed to the ranks of his Ironsides. To him a good officer was a good officer, though he might once, as sneering aristocrats said, have filled a dung-cart.

Congregationalism stopped short of liberty of conscience. The few minds into which that principle fully found its way were generally prepared for it by the experience of persecution. Roger Williams had preached it and won recognition for it in Rhode Island, but to England he preached in vain. Of the churches the Baptist deserves the credit of being its first sanctuary. The English Baptists in Amsterdam had said in their confession of faith, "The magistrate is not to meddle with religion or matters of conscience, nor compel men to this or that form of religion, because Christ is the king and law-giver of the church and conscience." Cromwell might not refuse to part with a good soldier who was denounced to him as an Anabaptist, but, while his heart was large, and he flouted religious squeamishness when it crossed a practical need, it is not likely that he had distinctly embraced the principle of liberty of conscience. Nearer to embracing it was Milton, in whose broad and exalted allegiance to freedom of opinion, bounded, it appears, only by the public morality

which must bound all freedom, it may perhaps be said that the principle was virtually born. Roman catholicism was still regarded by the whole protestant body not only as idolatry, but as potential treason, which might become actual treason at the bidding of the pope. Anglicanism had fatally identified itself with the party of arbitrary government. For the people of the Mass or of the Book of Common Prayer there was among the parliamentarians of whatever shade no toleration.

While the Independent chief had triumphed in the north, Essex, the Presbyterian chief, had met with disaster in the west. Lured by false hopes of a sympathy which he was not likely to find among a population of primitive character and swayed by the royalist gentry, he had entangled himself among the hills of Cornwall. There he had been surrounded and lost the whole of his infantry. Charles's letter of thanks to the Cornishmen may still be read upon church walls. The Presbyterian parliament received its defeated general with Roman magnanimity, but Presbyterian ascendancy received a sore blow in the capitulation of Lostwithiel as well as in the victory of Marston. 1644

The Presbyterians saw their danger and opened negotiations with the king, whose commissioners met theirs at Uxbridge. The Scotch, strong monarchists as well as strong Presbyterians, chiefly impelled the movement. Establishment of Presbyterianism and temporary resignation of the militia, that is, the power of the sword, were the terms offered to Charles. To these he would not assent. To the resignation of the power of the sword his queen, who swayed his counsels from Paris, would by no means agree, and the treaty, after much futile discus- 1645



sion, failed. The king was encouraged in resistance by  
1644 the meteoric victories of Montrose, who, having passed  
from the Covenanting to the royalist side, was, with an  
army composed of wild Highlanders and Irish, together  
with a handful of Scotch gentlemen, overthrowing army  
1644- after army of the Covenant and its Presbyterian chief,  
1645 Argyle. By his rejection of Presbyterianism Charles once  
more welded the Scotch, who had before been inclined  
towards him, to the parliament. The overtures of parlia-  
ment were always loaded with the exclusion from par-  
don of a number of the king's friends, to which Charles  
honourably refused his consent.

Alarmed by the rising star of Cromwell and the grow-  
ing force of the sectaries, the Presbyterian and aristocratic  
party in the two Houses scarcely desired to conquer. This  
1644 had become apparent when at the second battle of New-  
bury the Presbyterian and aristocratic commander Man-  
chester failed to press his advantage and allowed the king's  
army to retire unmolested and afterwards to return and  
carry off its cannon. High words had then passed be-  
tween Manchester and Cromwell, Cromwell being resolved  
to conquer, as he saw that there was no other way to peace.  
The thorough-going party now determined to get rid of  
lukewarm leadership. This they effected by carrying  
1645 through parliament a Self-Denying Ordinance, under  
purist pretences, requiring all the members of either House  
of parliament within forty days to lay down their offices  
or commands. The Ordinance did not forbid re-appoint-  
ment, and Cromwell, indispensable to victory, was thus  
retained. At the same time and with the same view to deci-  
1645 sive action the army was remodelled. Instead of the local  
levies, such as that of the Eastern Counties' Association,

which were with difficulty brought to act outside their own districts, it was resolved to form a more regular and national army. This was the New Model. It was freely recruited from all sources and partly by impressment. But its commanders and the core of it were Independent, and their spirit diffused itself through the mass. At its head was placed Fairfax, the parliamentary chief in the north. The new general was owner of a great estate and heir to a peerage, a disinterested patriot, a man of literary tastes and a writer of verses as well as a soldier, a kinsman of the translator of Tasso, and one of the inheritors of the protestant chivalry of which Spenser was the poet. His first act, when he afterwards occupied Oxford, was to place a guard over the library of the University.

The king's army, after storming and ruthlessly sacking Leicester, met the New Model at Naseby, and was totally overthrown, Rupert, as usual, after a victorious charge, going headlong off the field and leaving the day to Cromwell. Again Cromwell emphasized the share of the Independents in the great victory. "Honest men," he wrote to Lenthall, "served you faithfully in this action. Sir, they are trusty; I beseech you, in the name of God, not to discourage them. . . . He that ventures his life for the liberty of his country, I wish to trust God for the liberty of his conscience, and you for the liberty he fights for." This paragraph was omitted by the Presbyterian and moderatist parliament in sending Cromwell's letter to the press. 1645

Naseby was decisive. Its moral effect on the king's cause was enhanced by the capture of his papers, a selection of which the parliament published under the title of "The King's Cabinet Opened." Most of the letters were drafts

or copies of those written by Charles to his wife. The nation saw that Charles, while negotiating with the Houses at Westminster, had never regarded them as a lawful parliament; that he had intrigued for the landing in England of an Irish army and of the savage mercenaries of the Duke of Lorraine; that he had been prepared to purchase catholic aid by abolishing the laws against English catholics; worst of all, that no reliance could be placed upon his word. "The Key of the King's Cabinet," wrote a London pamphleteer, "as it hath unlocked the mystery of former treaties, so I hope it will lock up our minds from thoughts of future." It may be surmised that the king in writing to the queen, who was bent upon the recovery of arbitrary power, might say something for the purpose of pacifying her mind; but for this the readers of "The King's Cabinet Opened" were not likely to make allowance. Soon after Naseby Montrose's marvellous career of victories was closed  
1645 by his total defeat at Philiphaugh, and the last hope of Charles was gone.

Fairfax and Cromwell had still much work to do in extinguishing the embers of the war, particularly in Wales and the western counties. In Monmouthshire the catholic Marquis of Worcester, king of those parts, whose princely revenues had at first furnished Charles with money to take the field, made the last stand for him in his palace castle of Raglan. Bristol was surrendered by  
1645 Rupert, who thus covered the disgrace of Fiennes. Ox-  
1646 ford itself, the citadel of royalism, fell. The king's Great Seal was broken. The records of his anti-parliament had  
1646 been burnt. When in the west the stout old royalist, Sir Jacob Astley, surrendered with the king's last remaining force, he said to his captors, "My masters, you have



now done your work, and you may go play; unless you will fall out among yourselves." Fall out among themselves they did, as revolutionists generally have done, when the work of destruction was complete and that of reconstruction took its place.

After some aimless and hopeless wanderings the king rode northward and put himself into the hands of the Scotch, whose armies still lingered on the south of the border, waiting for arrears of pay. At Newcastle nineteen propositions were submitted to him by commissioners from the parliament, and were pressed on his acceptance by the Scotch. The chief propositions were the abolition of episcopacy, the acceptance of the Covenant, the establishment of Presbyterianism, and the surrender of the militia to parliament for twenty years. Could the king have brought himself to consent to the religious articles he would at once, as a Covenanting king, have had the Scotch upon his side. But in his attachment to the church of England Charles was immovable on political as well as on religious grounds. He told his wife, ever ready as a catholic to sacrifice a heretic church if she could keep the sword, that religion would sooner recover the sword than the sword would religion. He rated high the political influence, while he might well confide in the absolutism, of the Anglican clergy. In debates with Henderson, the Scotch prophet who was sent to convert him, he firmly and ably defended his Anglican faith. The Scotch now gave him up to the English parliament. They are accused of having sold him. This they certainly did not, though, as to the precise moment of the surrender, they may not have been without an eye to the arrears of their pay, which they received at the same time. Charles's Anglicanism was,

perhaps, almost as much political as religious; but to it he may fairly be called a martyr.

The war over, the nation craved for a peaceful settlement. All were weary of carnage, havoc, confiscation, excise, assessments for the pay of the army, financial confusion, depreciation of property, reduction of rents, and depression of trade. Most grievous was the war to the labouring poor, who felt its evils and bore its burdens without caring much for either party, and at last had turned out with clubs in their hands to protect their cottages, cornbins, and poultry-yards against both. Among the chief sufferers by the civil fury were the royalist and episcopal clergy, of whom a large number, according to their martyr-ologists two thousand, had been ejected from their livings, a fifth only of their income being paid by way of indemnity to their wives and children. They had identified themselves with political usurpation, and were deprived on political as well as religious grounds. Charles himself half justified the ejection in saying that the church would give him back the sword. It was also alleged that Puritan clergymen had been plundered of their livings under Laud and that compensation was due them from the spoilers. But it has been truly said that this proscription extinguished whatever hope there was of reconciliation between the Anglicans and the other sections of the religious community.

There is reason to believe that, as usual, with revolutionary ascendancy and sequestration had come corruption, that suitors to the parliament could do nothing without a bribe, and that saints and patriots were making scandalous gains. The Speaker, Lenthall, among others, was accused of growing rich at the public cost. Large gifts of money

or estates had been voted to powerful men for their services to the commonwealth, among others to Cromwell, who, however, laid a great part of the gift on the altar of his country. Of corruption as well as of bloodshed the people were sick.

How was the peaceful settlement to be made? Sir Jacob Astley's prognostication was speedily fulfilled. On the morrow of victory began the irrepressible conflict between the two sections of the victorious party, the Presbyterians and the Independents; the Presbyterians still aiming at a monarchy under the control of parliament with a Presbyterian church establishment and no toleration; the Independents still aiming at Congregational freedom, and the more thorough-going of them at religious freedom unlimited for all protestants. Of republicans there were as yet but few. The foremost were Henry Marten and Lilburne. Marten was a libertine of the political as well as of the moral sphere, who, when a question arose about the provision of a chaplain for the king, could say that he would like to provide the king at once with two chaplains to prepare him for heaven. Lilburne was a born agitator with the qualifications as well as the propensities of his tribe, the enemy of each established authority in turn, aiming, if he could be said to have any aim, at direct government by the people, which would have been practically no government at all, of a courage proved in the field, a ready writer with a popular style, and never to be put down. His devotion, disinterested unless vanity is interest, to popular right, earned him the invaluable nickname of "Honest John." He and his disciples were well named Levellers, for, had their schemes taken effect, nothing above the dead level of a vast popu-



lace would have remained. Wildman and Rainsborough were also leaders of the extreme party.

Vacancies in the House of Commons had been filled up to the number of about a hundred and fifty by the election of new members called Recruiters. The Recruiters included some new men of mark, such as Ireton, Cromwell's son-in-law, a man of legal culture, a political philosopher, and at the same time a man of action; Fleetwood, a deeply religious soldier; Ludlow and Algernon Sidney, "commonwealth's men" or republicans, like Marten, of the Roman mould. Notwithstanding these accessions the Presbyterians still had the majority. Outside the House they had with them London, the commercial wealth and respectability of which shrank from sectarian violence, and the Scotch, whose commissioners remained to lend moral support to their friends, though their army had been withdrawn. Moderation, fear of revolutionary violence, hatred of military rule made for them in the country at large. Their leaders, Holles, Stapleton, Maynard, and Glyn, were politicians or men of the gown, and of comparatively little mark, manifestly wanting in statesmanship though they seem not to have been wanting in courage.

The Independent party was in the minority in both Houses of parliament, though it generally received the support of Selden and the other lawyers who were opposed to the Presbyterians from their hatred of ecclesiastical domination. It had its stronghold in the Army, and its leaders, religious and political, in Cromwell and Ireton. Fairfax, the commander-in-chief and the victor of Naseby, was simply a soldier of the cause, disinterested, single-minded, bent on performing his military duty to the commonwealth, comparatively little of a politician and some-

what under the influence of a royalist wife. The army might truly say of itself, as it did, that it was not an army of mercenaries, like those which have supported military usurpations. It was a body of English citizens, and not the least worthy of English citizens, in arms for a national cause. It had saved that cause, and it had a right to a voice in the settlement. Cromwell, who was the soul of it, was not, like Bonaparte, a child of the camp; he was a religious patriot, who, when he was past middle age, had drawn his sword in the service of conscience. He professed, and with apparent sincerity, his desire of keeping the army in subordination to the civil government. Mutiny he quelled with decisive firmness, heedless of risk to his popularity as well as to his person. Power and pre-eminence had come to him, but there is no reason to think that he had as yet formed any design of revolutionary ambition. There is even reason to believe that he thought of transferring himself and his veterans to the field of religious war in Germany. His ecclesiastical ideal was protestant comprehension. His political ideal may be said to have been parliamentary monarchy with fair representation and law reform. It was towards this that he worked when supreme power at last came into his hands. It may be true that he did not exercise much forecast but was guided by circumstance, which he called the finger of God, and was content with understanding and controlling the actual situation.

Neither of the great parties as yet thought a settlement possible without the king. The nation at heart was still monarchical. The road of Charles from Newcastle, where the Scotch surrendered him, to Holmby in Northamptonshire, where the parliament fixed his residence, was

thronged by crowds of people, some of whom came to be touched by him for the king's evil; and the church bells were rung in his honour. He was approached by the leaders of both parties, and a long and tangled series of negotiations ensued. The questions, as before, were the settlement of the church and the command of the military force, to which, as usual, was added the treatment of Delinquents, or men who had been in arms for the king against the parliament, a point on which the king was creditably tenacious, remembering Strafford. The lands of the bishops and cathedral chapters, which parliament was confiscating, formed a fourth matter of dispute. The Presbyterians were most inflexible on the church question; the Independents, less tenacious on the church question, were more exacting in their political demands.

Feeling his hold on national sentiment, and seeing that both parties needed him, Charles thought to play them off against each other and in the end set his foot upon both. Had the men with whom he was dealing been weak, his game might have been successful. As he had to deal with Cromwell and Ireton it proved his ruin. Through the net of intrigue and deceit which he wove they burst at last by taking his life. A solution of the problem was not easy, since it was certain that Charles, replaced on his throne, would not, like a puppet king of our day, acquiesce in gilded impotence and lip worship, but would seek to regain real power, while parliament, meeting only at his summons, and liable to dissolution at his pleasure, would have no valid security against his attempt. He had, moreover, shown that he held it lawful for the purpose of saving the church and throne to practise deception, and that he deemed himself not bound by concessions made under



compulsion. The provisional establishment of Presbyterianism and the temporary transfer of the militia to the parliament, to which, when hard pressed, he at last intimated his willingness to consent, would have been of little value, since he would certainly have employed the time in machinations for the reversal of both concessions. Now, as afterwards in 1688, the most hopeful course apparently was the dethronement of Charles in favour of one of his sons, or, what would have been better, in favour of his nephew, the Elector Palatine, whose weakness would in reality have been a qualification for the place. This idea was in fact entertained; but the Prince of Wales would not take his father's crown; the second son, the Duke of York, was spirited away, and the third, Gloucester, was a child. The idea of what is now called constitutional monarchy, a royal figure-head, with advisers who really govern designated by parliament, could enter nobody's mind distinctly at that time. To show the tenacity of old ideas, peerages for parliamentary chiefs were subjects of speculation.

The parliament, in which the majority was still Presbyterian, wanted to disband the army. The army was resolved not to be disbanded, and had a good ground for resistance in the shape of heavy arrears of pay, which the parliament, with its finances in disorder notwithstanding its sequestration of Delinquents and confiscation of the lands of bishops and chapters, was unable to discharge. But the controversy presently extended beyond arrears of pay or any grievance of a merely military kind. The army became a political organization, with representative agents entitled Adjutators, and put forth political manifestoes and demands. The leaven of the political Levellers, whose prophet was John Lilburne, worked in the soldiers' quar-

ters. With it worked the leaven of religious enthusiasts and visionaries such as the Fifth Monarchy Men, of whom the New Model general, Harrison, a man of humble origin, but high standing as a soldier, was the chief, and who called for the immediate establishment of the kingdom of Christ on earth, but did not propose to inaugurate it by complying with the injunction to Peter and putting up the sword into the sheath. The revolution, at the outset and through the greater part of its course, had been a movement of the upper and middle class under leadership largely aristocratic; now the abyss of democracy began to yawn. As the parliament had sought to bring the king under its control, these revolutionists of the New Model army sought to bring the parliament under the control of the people, whose sovereignty they proclaimed aloud. They demanded manhood suffrage, biennial parliaments, and dissolution of parliament only with its own consent. They demanded fundamental laws for the preservation of popular right which the parliament should have no power to repeal. They called angrily on the existing House of Commons to bring its own tenure to a close. Questions and problems of our own time put in an appearance before their hour. Manhood suffrage was discussed; it was vindicated on the ground of right; it was combated on the ground of policy, which required that the voters should have a stake in the country, and for the reason that poverty would be open to corruption. Ireton, the philosophic soldier, was the chief thinker; Lilburne the chief agitator. Ireton's Heads of Proposals and Lilburne's Agreement of the People, each of them embodying a democratic scheme of government, were the chief manifestoes. From sovereignty of the parliament it was coming to sovereignty of the people. Sover-

eignty of the people direct was the aim of the impetuous Lilburne, while the philosophic Ireton was for a more tempered constitution. Ireton's scheme for an ecclesiastical polity did not abolish episcopacy, which to Independents appeared a less evil than Presbyterian rigour, but it took away from the bishops the power of coercion or of calling in the civil magistrate to enforce their censures, while it abrogated all laws binding to attendance at church, and all restrictions on religious meetings or free preaching. Thorough-going reformers did not fail to call for the abolition of the House of Lords. Cromwell's influence in the conferences held among the politicians of the New Model was conservative. He wanted to rebuild on the old foundations, though with securities for liberty, above all for religious liberty, and to keep in touch with the spirit and traditions of the nation. Manhood suffrage he deprecated as tending to anarchy, and generally he let it be seen that he hoped little from sweeping change. With his monarchical tendencies he seems never to have parted, though he was constrained for a time to break with monarchy. At a conference held somewhat later between the leaders of the House and those of the army he disgusted Ludlow and other republicans by keeping himself "in the clouds" and refusing to declare for a monarchy, aristocracy, or democracy, maintaining that any one of them might be good in itself or for the particular country, according as Providence should direct. He was convinced, he subsequently said, that a republic was desirable, but not convinced that it was feasible. All the schemes of the republicans or extreme politicians of any kind for the government of the nation by a parliament freely elected were practically suicidal, since a parliament



freely elected would certainly have been adverse to their cause and would have restored the king.

To keep touch with the army, to retain influence over it, so as to be able to speak to parliament and the king in its name and with assurance of its support, without sharing the revolutionary violence or the chimeras of its wilder spirits, was the arduous task of Cromwell and the other Independent leaders. Mutiny in such an army would be more terrible than battle itself. Yet Cromwell, when in the sequel he was called upon to face it, showed not less resolution and decision than sympathy with his comrades in arms and reluctance to shed their blood. He dashed, sword in hand, into the mutinous ranks, arrested the ringleaders, and by court-martial sentenced to death three of them. The three were allowed to cast lots for life, and one only died.

1647

The first blow openly struck by the army chiefs at the parliament was the abduction of the king, who was carried off from Holmby House by Cornet Joyce of Fairfax's Life Guards, and when he asked for the commission, was bidden by the Cornet to "behold the troop," which he playfully pronounced a good warrant and fairly writ. Charles was not sorry to get out of the hands of the narrow and sour-visaged Presbyterians, who melted down his chapel plate for a dinner service, and denied him a household and an Anglican chaplain, into those of the Independents, who were inclined to treat him with more indulgence, partly perhaps because, being of lower rank, they felt his majesty more. The Independents allowed him to be visited by his children, and Cromwell, who saw the re-union, being himself a very loving husband and father, was moved to tears of sympathy by the sight. It is a doubtful compli-

ment to Cromwell's foresight or sagacity to say that if Charles would have trusted him and accepted his terms he would certainly have replaced him on the throne. The respect shown Charles by the Independents, and the manifest widening of the breach between them and the Presbyterians, confirmed the king in the belief that he had only to be patient and keep up the game of intrigue with both parties and with the Scotch, to a large section of whom he had also reason to look for aid, in order to bring about his unconditional reinstatement.

A dead-lift effort of the parliament to disband the army 1647 was met by the solemn engagement of the army not to be disbanded. The parliament, in desperate mood, ordered London to be fortified and forbade the approach of the army within forty miles. In defiance of the injunction the army advanced to Uxbridge. There it denounced eleven 1647 of the leading Presbyterian members of the House of Commons, including Stapleton, Holles, Glyn, and Maynard, and demanded their impeachment. Parliament gave way, voted the eleven members leave of absence, demolished the fortifications of London, and appointed commis- 1647 sioners to treat with the army. The treaty failed; the quarrel broke out again. The members of the Independent minority in the two Houses seceded and presented themselves in the camp. The army then entered London and marched through the main streets to display its overwhelming power. It kept its discipline, however, strictly, and was guilty of no outrage. But parliament had succumbed to military force, though we have always to remember that the military force in this case was a body, not of prætorians or janissaries, but of men who had fought for a public cause.

1647 The king is now placed at Hampton Court. There the parleyings with him, both on the part of the Presbyterians with the Scotch commissioners their allies, and on that of the Independent leaders, still go on, neither section seeing its way to a settlement without him, while he dallyes with them both and plays his waiting game. He is meantime corresponding with the queen in Paris, who continues to cherish hopes of foreign intervention in his favour, and imperiously dissuades him from concession. Thorough-going men in the army, on the other hand, such as Harrison and Rainsborough, regard these parleyings with the king as treason to God and the cause. Cromwell loses the confidence of his party, and his life is supposed to be threatened by the Levellers. He is at last undeceived as to the king's game. According to an anecdote, which seems pretty well attested, he was informed that a messenger bearing, unknown to himself, a letter from Charles to Henrietta sewn up in his saddle, would at a certain hour be at the Blue Boar Inn in Holborn.

1647 He, with Ireton, both of them being disguised as troopers, waylaid the messenger, ripped open his saddle, found the letter, and read the proofs of the king's duplicity.

Hints, from what quarter is uncertain, were conveyed to the king of danger to his life. He fled with his attendants, Ashburnham and Berkeley, from Hampton Court and put himself into the hands of Colonel Hammond, the

1647 Governor of Carisbrooke Castle, in the Isle of Wight, who, though an Independent and a connection of Cromwell, was understood to have taken his governorship that he might avoid sharing the extreme counsels of his party. Hammond at first wavered between his military duty and his loyalty to the king. His "trials" and "temptations"



in this wise drew anxious and unctuous letters from Cromwell, but he at last preferred his military duty, and held Charles as a prisoner for the parliament.

In parliament, notwithstanding military coercion and the expulsion of the eleven members, moderatism, if not Presbyterianism, was still in the ascendant. Overtures were again made to the king in the shape of a compromise embodied in four Bills, including resignation of the militia. Charles dallied and at last declined. His refusal gave the ascendancy to the thorough-going party, which carried a vote of No Addresses. He was looking for something better than a compromise with parliament. He had entered into communication with a party in Scotland, headed by the Duke of Hamilton, which was more royalist than Presbyterian, and proposed to invade England in his cause. In concert with the Scotch invasion there was to be a rising of the royalists in England. An instrument embodying this plan with the terms on which Scotch assistance was to be given was signed by Charles and the Scotch commissioners, wrapt in lead, and buried in the garden at Carisbrooke. 1647

To the Independents and the parliament of England the danger was now extreme. A royalist reaction had set in. Fear and hatred of military rule prevailed. Parliament, trampled on by the army, had lost national respect. The people were galled by the assessments for the payment of the soldiery. They were exasperated, and in several places they revolted, not without bloodshed, against the austere Puritan rule which denied them their Christmas feast, their Sunday sports, their May-poles, their bear-baitings, and their plays. Bad harvests had increased the discontent and the disaffection. The pens

of royalist pamphleteers had been active, and had not spared Cromwell's character or his red nose. Hamilton, with an army, large, though ill-organized and ill-commanded, crossed the border. The flames of loyalist insurrection burst out at several points, most fiercely in Kent, Essex, and Wales. Part of the fleet at the same time revolted and gave itself up to Rupert. But the English rising had no head. Charles had in vain attempted to escape from Carisbrooke. In London the insurrection flashed in the pan, and that all-important centre was secured for the parliament. Operating from it, a veteran army under good commanders prevailed over the numerically superior, but disjointed, forces of its encircling foes. Cromwell, after stamping out the insurrection in Wales, rushed on Hamilton, who was marching southwards, out-generalled him, and at Preston in Lancashire cut his army to pieces. Fairfax quelled the rising in the southern counties and drove the remnant of it into Colchester, which, after a long siege and a brave defence, fell. After this second civil war the victors were in a sterner mood. Of the gallant defenders of Colchester, Lucas and Lisle were shot after surrender. Capel and Goring were reserved for the judgment of parliament, and for the time let off with banishment, but when regicides had mounted to power were, with Hamilton, condemned to death, though Goring escaped the block. This, at all events in comparison with Jacobin bloodthirstiness, was mercy. The humanity of the English compared with the French Revolution, though largely traceable to political and social antecedents, showed a difference between the characters of the two nations in respect of self-control.

Charles had now made it plain that to parley with him was idle, and that to trust him would be suicide. Parliament, nevertheless, made one more desperate effort to treat with him, and sent commissioners for the purpose to Newport. It was thereupon purged by the Independents. Colonel Pride, with his soldiery, posted himself at the door of the House and turned back moderatist members to the number of one hundred and forty-three, some of whom were put under arrest. The army and its chiefs were now, without disguise, the supreme power. We have once more to remind ourselves that this was not a common army, but a political party in arms.

Before Charles's flight to Carisbrooke, the more violent of the republicans and the sectaries had begun to talk of bringing him to justice. But when he, under the mask of amicable negotiation, laid and fired the train for a second civil war, brought Scotch invasion on England, and compelled the army once more to fight against heavy odds for its life and for all it had won, the cry for justice on the great Delinquent grew louder and prevailed. Before the army took the field a prayer-meeting had been held at Windsor, at which those present resolved, after seriously seeking the Lord, that it was their duty, if ever the Lord brought them back in peace, to call Charles Stuart, that man of blood, to an account for the blood he had shed and mischief he had done to his utmost against the Lord's cause and people in these poor nations. At the close of the war the army, by the mouth of Ireton, had demanded that the capital and grand author of their troubles, the person of the king, might be speedily brought to justice for the treason, blood, and mischief of which he had been guilty in bringing about by his commissions, commands,



procurements, and, in his own sole interest, all the wars and troubles and miseries that attended them. The cup had been filled up by the blood of the army favourite, Rainsborough, who was murdered by royalists at Doncaster. Cromwell seems now to have seen the finger of God, to have made up his mind with his usual decision and with his usual force to have bent those around him to his will. The king was taken from Carisbrooke to Hurst Castle and thence brought to London by Harrison. He expressed a fear of assassination, but Harrison assured him that whatever was done would be done in the way of open justice.

In the way of open justice, at any rate, everything was done, and with a Puritan solemnity strikingly contrasted with the Parisian levity which characterized the trial of Louis XVI. The trial and execution of Charles I. were the work of a small party of men deeming themselves the instruments of God and acting with iron resolution in the face of a horror-stricken and paralyzed nation. The members of the high court of justice had a precedent in the execution of Mary queen of Scots, besides Hebrew examples of the punishment of idolatrous kings, which were probably more present to their minds. But the awfulness of the act is marked by the abstention of half the men named as judges, by the long struggles which evidently took place in the Painted Chamber, to which the judges retired, before sentence could be pronounced, and by the difficulty found in collecting, out of a body of one hundred and thirty-five named as judges, fifty-eight signatures to the death-warrant. It seems that an alteration having become necessary in the date of the warrant when some had already signed, erasure

and interlineation were preferred to re-engrossment, lest those who had signed once should refuse to sign again. Fairfax attended only a preliminary meeting and refused to take part in the trial. His royalist wife, who was present, nearly drew the fire of the soldiers upon the gallery by her scornful ejaculations.

That part of the prolix indictment which charged Charles with the bloodshed of the first civil war was groundless. Supposing that in the struggle for supreme power he had struck the first blow, the war had been a regular war, and when, after its close, parliament treated with him for a settlement, an act of amnesty was virtually passed. Treason against himself the king could not commit, and the resolution passed just before the trial, that by the fundamental laws of the kingdom it was treason in the king of England for the time being to levy war against the parliament and the kingdom of England, besides being revolutionary, could have no retroactive effect. Even from a moral point of view, the only acts of Charles in the first civil war which could be deemed treason against the nation were his invitation to foreigners and Irish rebels to invade the kingdom. Against these might be set the introduction of a Scotch army by the parliament. But treasons on both sides had been cancelled by the subsequent treatings. The act for which, whatever might be its legal aspect, Charles morally deserved to suffer was the conspiracy by which he brought on the second civil war while he was carrying on friendly negotiations with the parliament. For this apparently, unless royalty was impeccable, he merited, and unless his person was inviolable, he might expect to share, the doom of his instruments, Hamilton, Capel, Lucas, and Lisle.

Tradition says that the night after Charles's execution Lord Southampton with a friend got leave to sit up with the body in the banqueting house at Whitehall; that at two in the morning they heard the tread of someone coming slowly upstairs; that a man entered, muffled up, and with his face hidden in a cloak, approached the body, looked at it for some time, shook his head, sighed "cruel necessity;" then departed as he had come; and that Lord Southampton used to say that, though he could not see the man's face, he took him, from his voice and gait, to be Cromwell. Necessity was probably Cromwell's sole motive for an act which he might think justified by Charles's conduct in regard to the second civil war, but which, without necessity, it is most unlikely that he would ever have done. To make terms with Charles had been found to be impossible; there appeared to be no one to replace him on the throne; and in banishment he would never have ceased to conspire. The wrath of the army, too, had probably got beyond control. Thus there might be apparently, a melancholy necessity, in which, as usual, Cromwell saw the finger of God.

Nothing, however, can be less true than that the action of the English regicides "struck a damp like death through the heart of flunkeyism, of which flunkeyism has gone about incurably sick ever since." Flunkeyism gained at least as much as it lost. The king, who had trampled on law and right, was made to appear the assertor of law and public right against an illegal tribunal. The touching piety and dignity with which he bore himself upon the scaffold effaced the memory of his misdeeds. Instead of a dethroned tyrant he became a saint and a martyr.

1649 The groan which, when his head fell, arose, after a moment



of shuddering silence, from the crowd was the expression of a general feeling and prophetic of a restoration.

To the children of Charles, who were in its hands, the Commonwealth was very kind ; unlike the French Republic, which butchered the wife and sister of Louis XVI. and killed the child his son by maltreatment. The queen had been impeached, not unjustifiably, since she attempted to bring foreign troops, and such a band of foreign banditti as the Lorrainers, into the kingdom. But it was not likely that more than a threat was intended.

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## CHAPTER XXII

### THE COMMONWEALTH

CHARLES I. EXECUTED 1649; CROMWELL PROCLAIMED LORD PROTECTOR  
1653

1649 WITH the head of the monarch fell, for the time, the monarchy, and with the monarchy fell the House of Lords, the lives of the two being bound up with each other. Both had been solemnly voted out of existence by a resolution of the Commons, declaring that the people are, under God, the original of all just power, and that the Commons of England in parliament assembled, being chosen by and representing the people, have the supreme 1649 power in this nation. A new great seal was made, bearing, instead of the effigy of the king, on one side a map of England and Ireland, with the arms of the two countries; on the other a representation of the House of Commons with the inscription, "In the First Year of Freedom, By God's Blessing Restored, 1648." The oath of allegiance became an oath to be true and faithful to the Commonwealth of England. The statue of Charles was thrown down and on the pedestal was engraved the inscription, *Exit Tyrannus Regum Ultimus*. The English revolutionists, however, did not tear dead Plantagenets and Tudors out of their graves. To signalize the abolition of the House of Lords, three of its members had themselves elected to the House of Commons. Rank

and majesty changed their seat. At a city dinner a peer ostentatiously gave place to an officer of the Commonwealth. On the question of abolishing the House of Lords or retaining it as a merely consultative body, there had been, even in a House of Commons purged of its anti-revolutionary elements, a division of forty-four to twenty-nine. So strong was still tradition. 1649

Such judges as would consent, being half of the bench, were reappointed, and justice held its usual course. County and borough institutions were left intact; saving that the London council, as a great power, was packed for the Commonwealth. The titles of the lords were not abolished. Only with regard to the monarchy was a disposition shown to obliterate the past.

This is the first national republic. The republics of antiquity were not national, but municipal; nor were they really democratic, since the mass of the people were slaves. The republics of medieval Italy were also municipal, not to mention that they still acknowledged the Emperor. The federation of the Swiss Cantons was at this time a mere league. In the United Netherlands, besides the incompleteness of their union and the hegemony of Holland, the Stadtholderate, hereditary in the House of Orange, had been a monarchy under another name. The English republic was premature, the mass of the people being still monarchists. It was a leap into the political future. It was the aspiration and work of a party, small compared with the nation, and its life, sustained only by that party, was short. So sensible a republican as Blake could believe that the end of all monarchy was at hand; but destiny mocked his dream. Yet abiding interest attaches to the Commonwealth as



having pointed the way for the exodus of European society from the hereditary system.

The king, by whose writ parliament sat, was in his grave, and the House of Commons, reduced by secession, decimated by Pride's purge, and coerced by the army, had not the shadow of right to call itself the representation of the people. Its only assured constituency was the army. The somewhat doctrinaire Ireton, in the new Agreement of the People which was  
1649 presented to parliament by the army and which embodied his views, proposed an immediate dissolution of the House and an election with an equal distribution of seats. Had his proposal been adopted without a narrow party restriction on the exercise of the suffrage, there would have been an overwhelming defeat of his cause. The continued existence of the Long Parliament was justified by revolutionary necessity. As Marten shrewdly said, in the case of the Commonwealth as in that of Moses the best foster-mother of the child was its mother.

The need of a strong executive was felt, to undertake the duties performed by the Committee of Safety and afterwards by the Committee of Both Kingdoms. A  
1649 Council of State was annually elected by parliament. There were forty-one members, including all the chiefs except the austere theorist Ireton. But the number which took part in the sittings and carried on the government was far smaller. The members of the committee being also members of the House of Commons and in the ascendant there, sufficient unity of counsels was secured. A leading spirit of the Council of State was Sir Henry Vane, who showed that a man of specula-

tion, even if he is somewhat of a dreamer, may, when set to work, prove himself a man of action. He is at all events untrammelled by the selfish interests of the men of the world.

The execution of the king and the transition from monarchy to a republic could not take place without general disturbance. The fountains of the political deep were broken up. There ensued a carnival of wild sects and chimeras. One set of visionaries anticipated the movement of the present day against private property in land, which they, like the heirs of their fancy, styled a relic of Norman conquest, and proceeded to put their theory into practice, though, it seems, only by digging up commons which had been enclosed. Communism took little hold. More hold was taken by Harrison's idea that the godly should rule the state. The most formidable of the disturbers were the political Levellers in the army, who had imbibed the radical teaching of Lilburne and regarded all authority save that of the popular vote direct as tyranny to be put down. Among these there was a great mutiny, which Fairfax and Cromwell quelled with decisive firmness, and at the same time with the utmost economy of blood. How great was the danger was seen when Lockyer, a trooper who had been shot for mutiny in London, was borne to his grave with military pomp, six trumpets sounding his knell, an escort of a hundred soldiers heading his funeral procession, his horse clad in mourning led behind him, his corpse adorned with bundles of rosemary one half bathed in blood, among which his sword was laid, while thousands followed in rank and file with sea-green and black ribbons, the badges of the cause, on their hats and on their breasts, women bringing up the rear,

and thousands more meeting the procession in the churchyard at Westminster.

Royalism, though its sword was broken, continued to fight with its pen, and a storm of pamphlets, violent and scurrilous in the extreme, assailed the revolutionary government. But more effective than any pamphlet or any editorial of a royalist journal was "Eikon Basiliké; the  
1649 Pourtraicture of his Sacred Majestie in His Solitudes and Sufferings," which showed what may be done by a skilful manipulator of opinion. This book pretended to be a devotional autobiography of Charles, revealing the pious and martyr-like beauty of his character. It was really the work of Gauden, an Anglican divine, who afterwards claimed and received his reward. But it was greedily accepted by the royalists as genuine, had an immense circulation, and produced an immense effect. To shatter  
1649 the Eikon, the Council of State called out Milton, who plied his hammer with all his might, but whose appeal to the intellect was weak compared with the effigy which  
1649 had taken hold of the heart. Milton was made Latin secretary to the Council of State, which employed Latin as the diplomatic language, and he became the state pamphleteer, defending the revolutionary and regicide republic in the court of European opinion, where he had a violent and grossly personal encounter with Salmasius, the renowned scholar whose pen the royalists had enlisted in their cause. It is on a principle something like that of the social contract that he bases the responsibility of kings and maintains the right of tyrannicide in default of more regular justice.

Higher far and of more abiding interest than Milton's onslaught on the Eikon or on Salmasius had been his



earlier treatise, "Areopagitica," or plea for unlicensed 1644  
printing. This makes an era in the history of that liberty which is of all liberties the most precious and the surest guardian of the rest. There had so far been no legal censorship. But government had always assumed the right of controlling the utterance of opinion. The famous passages of Milton's treatise have implanted themselves in the British mind, and are lasting safeguards of the principle they enshrine. But to allow perfect freedom of publication was impossible for a government beset with enemies and struggling to maintain itself against insurrection and mutiny; in a besieged city opinion must for a time be under restraint. The secretary of the Council of State had to comply with measures of repression from which the author of the "Areopagitica" would shrink. Yet a council of which Vane was a leading member could hardly be inclined to interfere beyond the exigencies of the time with the freedom of the press. The press law of the Commonwealth was not a settled policy, but a sort 1649  
of martial law applied to the press, and it was not so enforced as to prevent the continuance of royalist journalism and pamphleteering, which the government combated through an organ of its own.

The government was less well advised in trying to coerce opinion by a test, called the Engagement, binding first all officials, afterwards the whole population, to be faithful to the Commonwealth. This test, like all tests, could only act as a sieve, sifting honesty from dishonesty and throwing honesty aside.

It does not seem that the Council interfered beyond the measure of necessity with the regular course of justice. For cases of treason in which it could not have relied on

royalist jurymen, who would have deemed the treason  
1649 virtue, it set up a high court of justice ; but the court  
was thoroughly respectable, was guided by lawyers, was  
regular in its procedure, and kept the rules of evidence.  
It in no way resembled the revolutionary tribunal of the  
Jacobins. John Lilburne was an honest, restless, and  
turbulent fanatic, a forcible writer and speaker, who  
being utterly unable to understand the times, persisted  
in attempts to upset the government by unanswerable  
and unreasonable appeals to the Great Charter and the  
Petition of Right. Him the government allowed to be  
1649 tried by a jury, by which he was acquitted amidst a whirl-  
wind of popular applause, such as showed the Council  
in what peril it stood, and forced it to get rid of the  
1652 formidable agitator by temporary banishment. That for  
a government subsisting by the sword it was sparing of  
blood, its severest censors allow. This was the more to  
its credit, as the defeated cavaliers at once began to show  
their chivalry by assassination. Two envoys of the Com-  
1649 monwealth, Dorislaus in Holland and Ascham in Spain,  
1650 were murdered, and the murders were applauded by the  
party.

The vigour of the Council, especially, it seems, of Vane,  
was shown in the organization of a powerful fleet, which  
was required for defence against Rupert, who, with re-  
volted ships of the English navy, was piratically sweep-  
ing the seas, and was abetted and harboured by the  
1650 government of Portugal. This fleet was regular and  
national, not impressed, and has been, not without reason,  
regarded as the foundation of the regular British navy.  
The best of all foundations in fact was laid when justice  
was for the first time done to the claims of the common

sailor, who felt in better treatment and higher rewards the change to a democratic government. Democracy finds it necessary to purchase by liberality that which monarchy can command.

The scene shifts to Ireland, a name full of sorrow, 1641  
of misery, almost of despair. While a civil war of men was raging in England, in Ireland there had raged a civil war of fiends. It had been commenced by the natives with massacre, for which the colonists, when they could, took fearful vengeance, and it had been carried on in the spirit in which it had begun. The Irish population of Island Magee was massacred, man, woman, and child, by the Scotch garrison of Carrickfergus, and among the services credited to Cole's regiment we find that of having 1641  
"starved and famished, of the vulgar sort, whose goods were seized on by this regiment, seven thousand." When the Irish landed in England or Scotland as auxiliaries of the king or Montrose, they committed similar atrocities and they were regularly refused quarter. To fill the cup of mutual hatred, intense antipathy of religion was added to the intense antipathy of race and the mortal struggle for the land. In the war between the American frontiersman and the Red Indian, or in that between the Anglo-Indian and the Sepoy mutineer, more, perhaps, in the latter than in the former, we have something like a counterpart of the war between the races and religions in Ireland. There had been three parties in the island; that of the Celtic and Catholic Irish; that of the king, who was ably and honourably represented by the Deputy, Ormonde; and that of the parliament. The party of the parliament split, in Ireland as in England, into a section of Presbyterians, there formed by the Scotch in



Ulster, and a section of Independents. By the catholic Celts a provisional government was formed for the conduct of the struggle, under the title of the Council of Kilkenny. The predominant influence in the Council was ecclesiastical, the managers were priests, and to take supreme control as well as to carry the assurance of the pope's sanction and sympathy, a Nuncio, Rinuccini, was sent from Rome. This congress was more like an embodiment of Celtic and catholic nationality than anything which had appeared before. But it was divided into two parties, whose main object was not the same. The main object of the priests and of the nuncio was the restoration of the catholic religion; the main object of the catholic lords and of the agrarian peasantry was the recovery of the land. The divergence perplexed their policy, especially when they were dealing with the king, to whom, as he looked for English support, open alliance with Roman Catholicism was ruin. No really powerful leader showed himself among them. Their chiefs quarrelled as Parnellites and Anti-Parnellites have quarrelled since. Their best man was Owen Roe O'Neill, a soldier trained abroad, who came as a patriot to fight for the deliverance of his race. One signal victory at least the Celts won, but it had no permanent result, and in general the stronger race, though far inferior in numbers, prevailed. Charles tampered with the rebel Irish, and, Ormonde being too honourable for underhand or disloyal dealings, employed for the purpose Glamorgan, the disclosure of whose intrigue brought infamy and disaster on his employer's cause. Strafford's Irish army for the subjugation of England had never been forgotten. Among the terms of settlement tendered Charles by the parlia-

mentarians had been the surrender by him to parliament of the conduct of the war in Ireland.

While the war raged in England neither the king nor the parliament had force to spare for the other island, and parliament, with an exhausted treasury, could pay soldiers for Ireland only by the issue of debentures to be located on the forfeited lands of the Irish rebels, binding itself when the conflict should have ended, to a sweeping measure of confiscation. Thus Ireland weltered in bootless carnage and havoc, the fatal gulf between her races and religions deepening all the time, till, by the close of the second civil war in England, Cromwell's hands were set free. He then passed with a veteran army to Ireland. He put forth a stern declaration against the maltreatment of the people by the soldiery, with an assurance of protection to the peaceable and quiet; the first voice of order and humanity that had been heard in Ireland for eight years. He then morally ended the war by two terrible blows. The slaughter of the garrisons of Drogheda and Wexford, when they had refused to surrender on summons and the places had been taken by storm, was deplored by Cromwell himself as a melancholy necessity, and his memory owes little to the worshippers who have spoken of it in a different strain. That garrisons refusing to surrender on summons might be put to the sword was the law of war in that day, and such was the regular practice of the catholic armies of Spain and the Empire, which, indeed, did not limit the slaughter to the garrison. Nay, it seems that the Duke of Wellington held that a garrison standing a storm could be lawfully put to the sword, and even that such an example might in the end be a saving

of blood. In this Irish war quarter had been given on neither side. The papal legate, Rinuccini, reports with exultation after a victory that the Irish had taken no prisoners, that the vanquished had been put to death without mercy, and that the slaughter had gone on for two days after the battle. Among those stained with that blood and with the blood of the great massacre, were some of the defenders of Drogheda and Wexford; so at least Cromwell believed. Of the garrisons part only were native Irish. At Drogheda, Cromwell led the assault in person, and his passions were no doubt fiercely fired. As a rule he was not cruel in war. It seems difficult to deny that the number of surrenders which followed and the speedy collapse of the war were due to the effect produced by Cromwell's blows on the mind of people susceptible of such impressions, or that blood was thus saved in the end. Had the garrison surrendered on summons, their lives would have been spared. Horrible and heart-rending these massacres were; so were the massacres of Sepoys after the Indian mutiny.

Peace having been made, Cromwell in a manifesto characteristically clumsy, incoherent, and earnest, reasoned with the Irish and declared his policy both civil and religious, showing that it was not, as their priests had been leading them to believe, one of extermination. He declared that he would not take or suffer to be taken the life of any man not in arms otherwise than by due course of the law, and that although he could not tolerate the Mass, he would not interfere with conscience, but would endeavour to walk patiently and in love towards the Roman Catholics to see if at any time it should please God to give them another or a better mind.



He challenged them to show that since his coming into Ireland a single man not taken in arms had been slain or punished without an endeavour on his part to do justice. The manifesto was at least addressed to the hearts and understandings of the people, not to their fears. Of a part of the vagabond savagery with which the country swarmed after the war, Cromwell got rid by encouraging enlistment in continental armies, which presently gave birth to the famous Irish Brigade.

It now remained to satisfy the claims of the holders of debentures, Adventurers, as they were called, and of the soldiers who had received debentures as their pay. To do this the catholic land-owners in three out of four provinces of Ireland were deprived of their lands, receiving nominal indemnities in Connaught, to which province catholic land-ownership, with its social and religious influences, was to be confined. The common people, mechanics and labourers necessary to the cultivation of the soil, were not included in the sentence of deportation; they were left in their homes under new masters, better masters probably so far as training in industry was concerned, though aliens in race and in religion. Still the measure was ruthless, and one at which we shudder and from which humanity would recoil at the present day. This was in 1653. In 1685 Louis XIV. expelled the Huguenots from France. In 1731 the catholic Prince Bishop of Salzburg expelled the whole protestant population of his principality. A few years after the deprivation of the catholic land-owners of Ireland the catholic Duke of Savoy butchered the protestant population of his valleys. In Ireland it was a mortal struggle between two races for the land, and

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*et sq.*

the Celt had shown that Celtic victory meant not only the expropriation but the massacre of the Teuton. The Teuton was the later comer, but after a denizenship of nearly five centuries he could hardly be called an intruder, to say nothing of the still earlier Scandinavian settlements. That the mass of the Celtic Irish were at this time still barbarous and exposed to the treatment to which barbarians are held liable by a self-styled civilization, may be an odious fact, but is a fact, wherever the blame may have lain. There was no such excuse in the case of the Huguenots or in that of the people in the protestant valleys of Savoy.

1650 From Ireland the scene shifts again to Scotland. Returning from his Irish victories, Cromwell was called upon to take the field against the Scotch. Of the Covenanting party in Scotland, that section which was more royalist than Covenanting had invaded England under Hamilton and met its doom in the fight at Preston, after which Cromwell, visiting Scotland, had been well received by the more religious section and its head, the politic Argyle. But all the Scotch Presbyterians were monarchists by profession. They hated the thing monarchy, it was said of them, but they must have the name of it. Stronger than their attachment to monarchy was their abhorrence of toleration and of the Independents and other sectaries who were masters of the regicidal Commonwealth and whose ascendancy extinguished the hope, kindled in Scotch hearts, of bringing England under the Kirk. The influence of the storm gathering in the north on the mind of the English parliament had been shown of late by moral and religious legislation, calculated to conciliate the English Presbyterians, from the religious part

of which the tolerant spirit of the Independents would have recoiled, though the pretensions to Messiahship and the Antinomianism to which the wild times were giving birth must have put a severe strain on toleration.

The Scotch at once recognized Charles II. as king of both countries, thereby virtually declaring war against the English Commonwealth, on which, moreover, they avowed their intention of forcing their form of church government. They invited Charles to Scotland provided he would take the Covenant. Charles hated the Covenant and those who were tendering it to him; but he took the pledge and prepared to sail for Scotland. At the same time he secretly authorized Montrose, who promised him restoration without the Covenant, to make another attempt. Montrose, with his usual daring, made the attempt, but the unstable Highlander failed him, he was overwhelmed by the troops of David Leslie at Carbisdale, captured and carried to Edinburgh, where he suffered at the hands of the vengeful Kirk the usual fate of the enemies of the Lord. The key to Montrose's course as a politician it is difficult to find. Probably there was no key but impulse. He constantly averred that he was still faithful to the original Covenant. But he could hardly have pretended that his attitude towards it had not changed since the day when he signed it and in its cause attacked and took prisoner the catholic and royalist Earl of Huntly. Soaring ambition, the restless spirit of the old Scotch nobility, hatred of his rival Argyle and Argyle's Presbyterian following, with an attachment to the crown which by fighting and conquering in the royal cause was raised to the pitch of a passionate and religious loyalty, will probably go far to account for his



career. What is certain is that he was a most romantic figure, showed miraculous generalship on a small scale, and, in the scarlet mantle trimmed with gold lace which he wore to his execution, died as he had lived, a most brilliant and gallant gentleman.

1650 Montrose's attempt having failed, Charles unblushingly disclaimed it; and it is hard to say who lied most, he or the Covenanters who pretended to believe his disclaimer. He came to Scotland, bowed his neck to the abhorred Presbyterian yoke, took the Covenant with his tongue in his cheek, and enacted with his Covenanted supporters one of the most farcical scenes in history. At his side was his congenial friend the Duke of Buckingham, at whose scandalous dissoluteness leaders of the Kirk connived because he cynically advised Charles to put himself wholly in their hands. Charles was even called upon publicly to deplore the sins of his prelatial father and the idolatry of his catholic mother. "The king," says Burnet, "wrought himself into as grave a deportment as he could; he heard many prayers and sermons, some of a great length. I remember in one fast day there were six sermons preached without intermission. I was there myself, and not a little weary of so tedious a service. The king was not allowed so much as to walk abroad on Sundays; and if at any time there had been any gaiety at court, such as dancing or playing at cards, he was severely reproved for it. This was managed with so much rigour and so little discretion that it contributed not a little to beget in him an aversion to all sort of strictness in religion." It was likely to make him an atheist or a Roman Catholic; in fact, it made him both. Once, later on, Charles's patience broke down and he

bolted. The incident was called The Start. It is needless to say that, bad as the boy's conduct was, that of the Kirk elders who bribed and forced his conscience was worse. Presbyterian Scotland, however, accepted Charles as king and armed in support of his pretensions to the throne.

Rather than have a Scotch army in the bowels of England stirring up all the elements of disaffection, the Council of State resolved to assume the offensive and invade Scotland. Fairfax, though since the beginning of the king's trial he had entirely withdrawn from the political field, was still commander-in-chief, and had continued punctually and loyally to perform the duties of that office. But the end of his revolutionary sympathies had been reached. His wife was a strong Presbyterian. He had himself leanings that way. To ask him to command an invasion of Presbyterian Scotland was too much. In spite of earnest solicitations in which Cromwell warmly, and, there can be no doubt, sincerely, joined, he persisted in resigning, and retired to his stately mansion, his books and coins, at Nun Appleton. His retirement was fatal to the union between the Independents and the moderate Presbyterians which it was now Cromwell's object to preserve. Cromwell, taking the command, invaded Scotland. He was there encountered by David Leslie, his confederate at Marston, with an army greatly superior in numbers but inferior in quality to the veterans of Naseby and the Irish campaign; all the more inferior when ministerial fanaticism had purged it of ungodly officers and soldiers to ensure to it the favour of the Lord. Cromwell was a tactician rather than a strategist, and above all a leader of cavalry. He failed to

force the line of defence covering Edinburgh which Leslie had taken up. At last he was in great straits, and would have been in greater had not the sea been kept open for him by the new naval power of the Commonwealth. He was obliged to fall back, was in danger of having his retreat cut off, and although hope always burned in him as a pillar of fire, he evidently felt as if his situation was almost desperate, when a false move of the Scotch, inspired, it seems, by the overweening confidence of the preachers, gave him an unexpected opening for attack. He seized it with his usual decision, and in the battle of Dunbar utterly shattered the Scotch army. The attack was made at dawn. As the sun rose upon the field of victory, Cromwell's spirit was uplifted with religious enthusiasm. "Let God arise," he cried, "and let his enemies be scattered." At a halt in the chase he struck up a psalm. At Dunbar the Puritan spirit was seen in its highest exaltation, and at the same time in its identity with the spirit of Joshua rather than with the spirit of Jesus. Glad were the tidings of Dunbar to the English Independents. They hung the captured colours in Westminster Hall; they struck medals bearing Cromwell's likeness, in spite of his protest. They showed their release from fear of the Presbyterians by giving legislation a liberal turn.

The Scotch, Cromwell treated not as enemies, but as misguided friends. Such, in fact, had been the tenor of the manifesto which he put forth on entering Scotland. He expressed his surprise, however, at finding that under the Presbyterian system there lay, beneath the surface of enforced godliness, much that was not godly. His observation seems to be confirmed by the criminal records



of the time, especially in regard to sexual offences. His victory at once shook the rigid rule of the church and made way for comparative freedom of opinion.

Monarchical parties in Scotland were now fused by defeat, and objections to association with Engagers, as the political followers of Hamilton were called, were waived by all except a very stiff section dubbed Remonstrants. Charles was crowned by the coalition at Scone, and to win his kingdom for him a new army was formed under David Leslie. Leslie again showed his skill as a tactician on the defensive. In trying to manœuvre him out of his lines between Falkirk and Stirling Cromwell got to the north of him. Leslie then slipped away and, taking Charles with him, invaded England, where it was hoped the royalists would rise in their young king's favour. In Lancashire they did rise under their local chief, Lord Derby, but the movement was weak and was easily quelled. National antipathy was still too strong to welcome Scotch invasion. Not only did Leslie's army find cold welcome, but the militia and trained bands turned out at the call of the government with a readiness which seemed to betoken general acquiescence in the new rule. At Worcester, whither Charles's march had been directed in the vain hope of reinforcement from the royalist western counties and from Wales, his army was brought to bay, hemmed in by a superior force under Cromwell, who had followed from the north, and, after a brave resistance, totally destroyed. Charles, after adventures in which he found honour in lowly places, escaped to the continent.

Worcester was Cromwell's "crowning mercy," and the topmost step of the stair up which fortune had led him

to supreme power. He was now not only the leading man but master of the situation ; he was lodged in the forsaken palace of royalty, and received almost royal homage. That he had long been scheming for supreme power, as his enemies and detractors averred, is not likely, since a year and a half before he had married his eldest surviving son, the heir of his fortunes, to the daughter of a private gentleman, Mr. Mayor, treating about the marriage settlement with an interest which he would scarcely have shown had he looked forward to being master of a kingdom's wealth. Probably he told his own secret when he said that no one rose higher than he who did not know whither he was going. How far he was led by patriotism, how far by ambition, in the course which he now took, who can tell? Who can see across two centuries and a half into a heart so deep as that of Cromwell?

1652 On the return of Cromwell to London, after Worcester, was passed an Act of Oblivion, due no doubt to his influence, and an earnest of his policy, which was reconciliation and the reunion of the nation. The Act was niggardly, but in every division on the clauses of the Bill he voted on the side of mercy.

Cromwell's Scottish victories produced a fruit more glorious than Dunbar, a fruit which, if dust could feel, would have made the dust of the great Edward rejoice. They were followed by an incorporating union of Scotland with England. For this the road had been opened by conquest, and conquest in defensive war, which gives the conqueror his full privilege. Yet Cromwell and the Council of State acted like true statesmen, not in the spirit or with the demeanour of conquerors, but with

all possible respect for the honour and feelings of the Scottish nation. A commission was sent down to Scotland, where it submitted a tender of union to representatives of the Scottish shires and boroughs. Stiff Presbyterians shrank from incorporation with a republic of Independents; high royalists shrank from incorporation with a republic of any kind; while separate nationality could not be resigned without a pang. But Cromwell's rule had already abated prejudice. It had cleansed and lighted Edinburgh and given her a better police. It had also sheltered beneath its military protection the growth of independent sects which yearned for liberty of conscience and emancipation from the Presbyterian yoke. The Scotch lawyer stood aloof; but it was found that an English commandant, untrammelled by party or family connection, "proceeded more equitably and conscientiously in justice than our own Scottish magistrates." Even Malignants appealed from the rigour of Kirk authorities to the equity of an English general, and some of them became warm promoters of the union. The Kirk, indeed, ceased to dominate. The General Assembly, through which its collective force had been brought to bear upon the nation, was dispersed by a colonel, who refused to recognize the divine warrant, and it was reduced to its presbyteries and synods. The union, some say, was an unwise measure because it set Scotch nationality at naught. If union was good in 1707, why was it not good in 1652? Had not the Scotch fought at Marston and been represented in the Committee of the Two Kingdoms? Had not the union of the kingdoms, their religious union at least, been an article in the Scotch treaty with Charles at Newport? Had not Scotland proclaimed



Charles II, king of Great Britain and sought to put him on the British throne? Was there any barrier between the Englishman and the Lowland Scotchman more insuperable than that between a Lowland Scotchman and the Highlander, or even than those between parties in Scotland? Had not union been proposed by the Scotch to Elizabeth? Had it not just been proposed by Argyle? What was to be done with Scotland? Was it to be put back into the hands of the enemies of the English Commonwealth? If we condemn a policy we are bound to be prepared with a better.

Over the colonies, after a slight resistance by a royalist party in Barbadoes and Virginia, the Commonwealth stretched its rule, but on terms, as expressed in the case of Barbadoes, of colonial self-government, self-taxation, and freedom of trade, which if they had remained in force might have torn the page of the American revolution out of the book of fate.

The government of the Commonwealth had to assert its place among the governments of Europe. Catholic monarchies showed little emotion at the fall of the heretic king, and were ready to bid for his fine collection of works of art. But they, Spain especially, looked with horror on a regicide republic, even in an island, with the sea to cut off the contagion. Luckily for the Commonwealth, France and Spain were struggling for supremacy, and neither of them could afford to make an enemy of England. Holland was itself a republic, but not regicide; a prince of Orange, afterwards its Stadtholder, had married a daughter of Charles I., and Charles II., with his train of exiles, had there found shelter. The Commonwealth of England did not proclaim itself propa-

gandist and threaten other governments with subversion, but it insisted on recognition. This was withheld at first most positively by the government of France, at the head of which was Mazarin, with Henrietta Maria at his elbow. But Cromwell and Blake, victory by land and sea, practically had their effect. Mazarin tried to open negotiations without recognizing the Commonwealth. The Council of State haughtily ordered his envoy to quit the country. At last, like an Italian statesman, he waived prejudice and recognized. The Commonwealth of England was formally admitted among the powers. 1652

So far the Council of State did well. It did far from well in going to war with Holland. In its breast had arisen a wild design, if not of an incorporating union of the two protestant republics, at least of an impracticably close alliance, and inadmissible demands had been made upon the Dutch for expulsion of royalist exiles and for the proscription of the House of Orange as dynastic and connected with the English dynasty. The Navigation Act, 1651 forbidding importation in any but English bottoms, was a measure passed by the English parliament in accordance with the protectionist policy of that day, to oust the Dutch from the carrying trade. With this, the Dutch put up, but they could not put up with the arrogant assertion of English supremacy in the narrow seas, or with the seizure of Dutch vessels having, or suspected of having, enemies' goods on board. There was a series of obstinate and bloody battles with general victory to England, with ruin to the Dutch, who had a great merchant and fishing marine to be cut up while the merchant marine of England was small. On the Dutch side Tromp was the hero; on the English, Blake, who, a

student till he was twenty-eight, then a politician, afterwards distinguished as a soldier, took command at sea, like the amphibious warriors of those days, when he was fifty, and became the naval glory of England, if not the founder of her naval tactics. Miserably the two free and protestant commonwealths, which ought to have been the fastest allies, spent their forces and the blood of their seamen in mutual havoc. In the naval administration, which was good, Vane had the principal hand.

It was probably about this time that Cromwell held a conference, reported by Whitelock, with some leading soldiers and lawyers about the settlement of the constitution. The soldiers were for a republic, but the lawyers were unable to see how law could exist without the monarchy, with which all their legal formularies were bound up. Whitelock, if he tells the truth, suggested the restoration of the Stuart family. To the restoration of the Stuart family, the head of which had then a price set upon his head, Cromwell would not listen. He abhorred Charles as a profligate, apart from political grounds. Between monarchy and republic he seems, outwardly at least, to have wavered, with an inclination to monarchy. If he thought of monarchy, he must have thought of the king; and if he thought of the king, of whom can he have thought but himself?

The Long Parliament, now dubbed, by a name fatal to its majesty, the Rump, had not only by the death of the king who had called it and the suppression of one of its two Houses lost its original and constitutional character, but by exclusions, purges, and military coercion it had lost the character of a representative assembly. It consisted of little more than a hundred members, only about



half of whom took an active share. It was nothing but the revolutionary organ of a dominant party. At the same time there could be no doubt that, minded as the country still was, a free election, even if the Cavaliers, or Malignants as they were called, should be excluded, would result in the overthrow of the regicidal government and in the ruin of the cause. Milton, at a later period, advised the republican members frankly to discard the name and the form of a parliament, to constitute themselves the standing council of the nation, with the proper machinery, in the way of partial renovations at stated intervals, for keeping touch with the people, and in that character openly to take upon themselves the government of the country. On the other hand, after Dunbar and Worcester, the time might seem to Cromwell to have come for closing the civil war, for broadening the basis of government and making it once more national, for amnesty, for reconciliation, for putting an end to the fines and confiscations which were the sinister budget of revolutionary finance, and in the levying of which, as well as in the general confusion of the financial administration, there were opportunities for corruption, of which the members of the parliament were believed, and one of them, at least, was proved, to have taken advantage. Our great historian of the period has quoted from Mazarin's envoy, Croullé, a testimony to the virtues of those who ruled the Commonwealth. "Not only are they powerful," says Croullé, "by sea and land, but they live without ostentation, without pomp, without emulation of one another. They are economical in their private expenses and prodigal in their devotion to public affairs, for which each one toils as if for his private interests. They handle large

sums of money which they administer honestly, observing a severe discipline. They reward well and punish severely." This perhaps may be taken as a general picture, but cannot be taken as wholly true. When supreme power and supreme command of pelf are in the hands of political and religious party, hypocrisy and with it knavery are too sure to abound. With their Dutch war Parliament and its Council of State had greatly added to financial embarrassment, terrible enough before, and had been driven to fresh confiscations. They had sold the royal gallery of paintings and had resolved to sell the cathedrals. Cromwell, with all his officers in the army at his back, called for dissolution and a new election. But the parliament shrank from the abyss over which it was suspended, dallied with the terrible question, fixed a distant day for dissolution, and then proposed practically to perpetuate itself by confirming all its existing members in their seats and submitting the new elections to their revision.

As parliament would not depart of its own accord, Cromwell resolved to turn it out. Whether that resolve was dictated by patriotism or ambition, whether it was necessary and politic or not, the mode of carrying it into execution could hardly have been worse. Policy and right feeling alike required that the general of the parliament should treat with as much forbearance and respect as the momentous step which he was taking permitted, the assembly which he had served and the men with whom he had acted. Cromwell went down to the House, 1653 listened for some time to the debate on dissolution, then rose to speak, and after opening in a strain of compliment, suddenly turned to invective, denounced the House,

and proclaimed that its sittings must end. He then called in soldiers, bade them "take away that bauble," the mace, forced the Speaker from the chair, drove out the members, and closed the doors. At some of the members, Vane and Marten among them, he hurled personal insults. All of them he exposed to the derision of the common enemy, who chalked upon the door of the assembly "House to Let Unfurnished." If Cromwell had not lost his head, which was unlikely, he had felt misgivings, and to drown them had worked himself into a passion which had carried him too far. A dignified protest from Bradshaw and a number of the expelled members was the first fruit of the ignominious expulsion. The deadly enmity of men still powerful was its further result. No explosion of public feeling, however, followed the dissolution of the Long Parliament; that assembly after all its achievements seems to have departed amidst general indifference, if not amidst general contempt. For this its loss of a constitutional character will hardly account. There must have been suspicions of self-seeking and of corruption, for which the fining of Malignants, the sequestration of their estates, and the sale of all the crown and church lands, would afford opportunities difficult to resist.



## CHAPTER XXIII

### THE PROTECTORATE

OLIVER CROMWELL PROCLAIMED LORD PROTECTOR 1653; RICHARD CROMWELL DEPOSED 1659

**N**OTHING was now left but Cromwell, with the army, a political army it is always to be remembered, as the basis of his authority. He had no love of sabre sway. Like Caesar, unlike Napoleon, he had been a politician before he was a soldier and he had always shown himself loyal in principle to the supremacy of the civil power.

His aim may fairly be said to have been, after closing the wounds of the civil war by amnesty, to re-settle the government on a broad national basis, in accordance with the habits and traditions of the people, securing to the nation at the same time the substantial objects, religious and political, the religious objects above all, for which the civil sword had been drawn. From the conference which he held at the critical moment with leading men, soldiers, and lawyers, to take the soundings of opinion as to the settlement of the constitution, it appears that his own leaning was in favour of something monarchical, whether with the old or with a new name. How far in this he was listening to the promptings of his own ambition is a question which must, once more, be left unanswered. His ambition at all events was in unison with the habits and

traditions of the bulk of the nation, as at the Restoration appeared. In any case he was not guilty of apostasy. He had drawn his sword in a religious cause with which the cause of civil liberty was identified, and had never proclaimed himself a republican, though he had republicans among his brethren in arms and had, no doubt, listened to them with sympathy and perhaps flattered their aspirations. He had evidently been willing to restore the king if the king could have been effectually bound to mend his ways. That Cromwell was still true to liberty, Milton, no bad judge, must have been convinced when he wrote his sonnet. While he knew that Cromwell had suffered detraction, over which, as over his enemies in war, he hails him triumphant, he beckons him on to victories of peace and to the rescue of free conscience, of which he regards him as the hope.

Cromwell's ambition has been often contrasted with the moderation of Washington. The two cases are not parallel. The American revolution was not, like the English revolution, in the full sense of the term, a civil war. It was mainly a struggle against an external power. This unites rather than divides the struggling community. Cromwell said truly that in England there was need of a constable to restore order. There was comparatively little need of a constable in America.

The true view of Cromwell's character is that which represents him as raised from step to step by circumstance without far-reaching ambition or settled plan. The "war's and fortune's son" had "marched on" as war and its fortune led him. He rather dealt decisively with events as they came than tried either to control or forecast their course. He even seems, from his conduct with regard to

the execution of the king and the ejection of the Long Parliament, to have been capable of an impulsive plunge.

It was a wild state of agitation, political and religious, over which the baton of the constable was waved. Fifth monarchy men, such as Harrison, were calling for the reign of the saints. Presbyterians were still struggling to impose their intolerant theocracy. Fox and his Quakers were, in the name of their inner light, invading steeple-houses, railing at ministers, and preaching naked in the streets. Antinomians were teaching that sin in the children of grace was no sin. Levellers like Lilburne were clamouring for a direct government by the people, which would have led the nation through anarchy back to the Stuarts. Communists were demanding a common ownership of land. Royalists, incensed by confiscation and proscription, formed a standing conspiracy against the government. Anti-Trinitarians were attacking the Trinity, and Trinitarians were wanting to persecute them. Thomas Hobbes, looking on, was inspired with the idea of his "Leviathan," a brazen despotism which should impose peace upon the savage beasts by absolute extinction of liberty, religious as well as political, leaving no freedom anywhere except in the secret sanctuary of thought.

To transfer the government from a party to a national basis on the morrow of the civil war and with the passions of the war still glowing was an arduous task. In undertaking it Cromwell had against him his personal position as the chief of a party, or of something narrower than a party; for the republicans would be opposed to him and he had increased their estrangement by the insulting vio-



lence with which he had turned out the Long Parliament. He had against him all the envies and jealousies which beset a new man raised above his fellows. He had against him the hatred, strong in a constitutional nation, of military government, to which for the time he was driven, as well as the unpopularity of the taxation which maintenance of a standing army involved. He had against him the odium of regicide, which in the eyes of royalists exposed him to assassination as well as to rebellion, and in the eyes even of such a royalist as Clarendon made killing no murder. For him, he had the desire of peace and of a return to settled industry, which was sure to be strong in the nation at large; the negative good will of the vanquished to whom he held out amnesty; the divisions among his opponents, which were such that it was scarcely possible for them to act in concert. He had his own supreme ability, a temperament which never knew despair, a fortitude sustained, it cannot be doubted, by strong and sincere religion, a knowledge of men gained by the widest experience both at the council board and the camp-fire side. The army, though adverse in sentiment to anything like a restoration of monarchy, was bound to its chief by the spell of victory, and so long as it obeyed him his government could not be overturned.

From civil war to law and liberty a nation cannot pass at a bound. There must be an interval during which the new government will need to be upheld partly by force. Cromwell saw the limits of political necessity. "When matters of necessity come," he said, "then without guilt extraordinary remedies may be applied, but if necessity be pretended there is so much the more sin." He does not seem to have swerved much from this rule.

“But thou, the War’s and Fortune’s son,  
March indefatigably on;  
And for the last effect,  
Still keep the sword erect.

“Beside the force it has to fright  
The spirits of the shady night,  
The same arts that did gain  
A power, must it maintain.”

Had Andrew Marvell qualified the last words so as to limit them to the transition, these lines would have been true.

1653 Cromwell’s first step, after turning out the Parliament, showed that his object was not military despotism. It was taken by him expressly “to divest the sword of all power in the civil administration.” In concert with a council of officers which he had formed for himself he called a convention consisting of a hundred and forty Puritan nobles, a hundred and twenty-nine of them chosen from different counties of England and Wales on the recommendation of the local Puritan churches, with five to represent Scotland and six to represent Ireland; and put the state for re-settlement into its hands. The qualification being religious and moral, though politicians and soldiers who had little of the saint about them were included, the measure may be regarded as a very cautious trial of the scheme of government by the saints.

This assembly seems to have been fairly composed so far as the narrow exigencies of party would permit, and entirely respectable, though from Praise-God Barbone, one of its leading members, scoffers nicknamed it the Barebones Parliament. Nor is there any reason for supposing that Cromwell’s object in calling it was other

than he proposed. The design ascribed to him of discrediting, by an exhibition of their fanaticism and incompetence, the leading men of a party which he meant to betray, was too deep even for so profound a plotter as Cromwell was imagined by his enemies to be.

The Little Parliament, as it is more respectfully called, went to work in a way which shows that it was no mere assembly of wild enthusiasts clearing the way by the destruction of law, learning, and civil society for a reign of the saints. It organized itself in eleven committees; for the reform of the law; for the reform of the prisons; for the reform of the finances and the lightening of the taxes; for Ireland; for Scotland; for the army; for petitions; for public debts; for the regulation of commissions of the peace, and the reform of the poor law; for the advancement of trade; for the advancement of learning. Among its proceedings we find measures for the care of lunatics and idiots, for the regular performance of marriages, and the registration of births and deaths, for probate of wills in all counties, and for law reforms. The law reforms pointed not only to a speedier and cheaper administration of justice but to the preparation of a simple and intelligible code of law. This is a programme of modern and now approved legislation. But the Little Parliament lacked both authority and prudence for the settlement of the nation. It appears that the assembly was pretty equally divided between two parties, radical and conservative; that the radical party had slightly the majority and wished to go further and faster than Cromwell desired or circumstances would bear. No one could be more bent than Cromwell on rational reform of the law. But he did not dream of the law of



Moses, and he had to keep terms with a powerful profession. Although the court of chancery cried aloud for reform, total abolition was too much as a first step. That, however, which probably determined Cromwell to bring the sittings of the Little Parliament to a close was a vote which showed that the majority was in favour of abolishing public provision for the clergy and thus putting an end to the existence of a national church. Cromwell had convinced himself that a national church, with a public provision for its clergy, was essential to the maintenance and propagation of the Gospel, the objects always foremost in his mind, while he was ready for the largest toleration and the most drastic measure of church reform. The Little Parliament was dismissed with decency under the appearance of dissolving itself. Cromwell seems to have become conscious of the mistake which he had made in his manner of turning out the Long Parliament, for in his first speech to the Little Parliament he apologized for the act. "I speak here, in the presence of some that were at the closure of our consultations, and, as before the Lord — the thinking of an act of violence was to us worse than any battle that ever we were in or that could be, to the utmost hazard of our lives ; so willing were we, even very tender and desirous, if possible, that these men might quit their places with honour."

Our accounts of these events are imperfect, and mystery hangs over the episode of the Barebones Parliament. With what special object was this assembly summoned? Was it permanently to take the place of the national legislature? For this it was manifestly unfit. Was it intended to frame a constitution? So the writ summoning

it seems to import, yet to this work it never put its hand. It may have been an experiment pressed on Cromwell by the council of officers, of whom Harrison was one, rather than the offspring of his own policy. At all events the reign of the saints had been tried in the most guarded manner and had failed.

Cromwell's council of soldiers and civilians now proceeded in the light of the political discussions which had been going on, and of which Ireton's Agreement of the People was the most notable outcome, to frame a constitution for the Commonwealth of England, Ireland, and Scotland. Cromwell protests that he was not privy to the consultations, but the result clearly bears the impress of his mind. The Instrument of Government is the first written constitution for a nation of modern times, the only written constitution which England has ever had. It may still deserve study at a time when popular, party, and demagogic government appears to be everywhere on its trial. In contrast at once to Harrison's reign of the saints, and to Lilburne's government by the people, the Instrument follows the main lines of the old constitution, substituting, though perhaps provisionally, the elective for the hereditary headship. 1653

In place of the king the chief of the executive is a Protector, to be elected for life by the council of state, which shares with him the executive power. He is the head and representative of the nation, the captain-general of its forces, the source of magistracy, and the fountain of honour. In his name all writs and commissions run. With his council, he has the power of peace and war; but in case of war parliament is at once to be called. The Protector, like the king, nominates the great officers of

state ; but his nominations of the chancellor, the treasurer, the chief justices and the governors of Scotland and Ireland, must be approved by parliament.

In place of the privy council nominated by the king at his pleasure is a council of state, in number not less than thirteen or more than twenty-one, vacancies in which are to be filled by a mixed process, parliament designating six persons of integrity, ability, and fearing God ; the council, of these six, choosing two ; and the Protector, of these two, choosing one.

The parliament is a single elective house. It has the entire power of legislation and taxation, to the Protector being reserved only a suspensive veto on legislation for twenty days. It must be called once at least in every three years, as the Triennial Act had prescribed, and sit for five months. It is to be elected on a reformed footing, the petty boroughs being disfranchised, the franchise being transferred from them to large towns, more members being given to the counties, and the franchise being extended from freehold to all property, real or personal, including copyhold and leasehold, of the value of two hundred pounds ; a conservative qualification in those days. Special borough franchises seem not to have been abolished. The general result would be a constituency largely yeoman and middle-class. Clarendon speaks of the reform as one fit to be made more warrantably and in a better time. To estimate its value we have only to consider what was done in the next two centuries by the rotten boroughs. The representation of Scotland and Ireland was to be regulated by the Protector and the council. Excluded from voting were all Roman Catholics, all who had made war on the parliament, unless they



had since given proof of their good affection, and all who had taken part in the Irish rebellion. Cromwell would no doubt have treated peaceable acquiescence as sufficient proof of good affection.

The command of the forces had been the final bone of contention between Charles and the parliament. The Instrument gives it to the Protector with parliament, if parliament is sitting; if parliament is not sitting, to the Protector with the council.

The Christian religion contained in the Scriptures, that is to say, Puritanism, is professed by the nation. The established church and the national clergy are retained, but a provision less objectionable than tithe is to be made for the clergy. There is to be full liberty outside the establishment for all such as profess faith in God by Jesus Christ, so long as they abuse not this liberty to the civil injury of others or the disturbance of the public peace; and all laws and ordinances contrary to that liberty are to be null and void. The liberty, however, is not to extend to popery or prelacy, nor to the preaching or practice of licentiousness under the profession of Christ.

Cutting right athwart the constitutional principles of the Instrument is an enactment dictated by dire necessity and laying bare the foundation of the Protectorate. Provision is made irrespectively of the authority of parliament for a constant yearly revenue to maintain an army of thirty thousand men.

Three articles Cromwell treated as fundamental; government by a single person and parliament, toleration, and the settlement of the army.

Lacking to this written constitution are a power of

interpretation and a power of amendment. But the power of amendment was subsequently exercised by parliament, with the consent of the Protector.

Oliver Cromwell was to be the first Protector, and the Instrument named for the first term the members of the council of state, which included the chiefs, military and political, of the Commonwealth party. The Protector and council are empowered to legislate provisionally by ordinance till the parliament meets.

This constitution, launched on stormy waters and tempest-tossed from the outset, was never fairly tried. But under it, had it taken effect, government would apparently have been national; party at least, could hardly have reigned; cabal and intrigue, the workings of personal ambition, no constitution can exclude. The Protector is not an autocrat; he must carry his council with him. Public opinion acts on government through a parliament elected by the people, which in its turn takes part in the election of the members of council who elect the Protector, and, when sitting, divides with the Protector the control of the forces, besides approving the appointment of the great officers of state. The members of the council of state, unlike the members of the American administration, may sit in parliament, as the whole of Cromwell's first council did; and they would answer for the policy of the government there. Thus authority, stability, and continuity would, if the constitution worked as its framers desired, be reconciled with the just and settled influence of national opinion.

1653 The Protector was installed with moderate state, and during the next five months freely exercised the power of provisional legislation reserved to him in the Instrument,

developing in fact by a series of ordinances his policy in all departments, civil, religious, diplomatic, and moral, including the union of the Kingdoms, or Commonwealths 1654 as they are now to be called.

He then opened his first parliament with a speech 1654 which stamped the Protectorate as conservative and its policy as that of maintaining a national church and protecting civilized society against the Fifth Monarchy and the Levellers. He was able to announce an honourable and advantageous peace with Holland, peace with Portugal, and good relations with Sweden and Denmark, the protestant powers of the north. "Blessed be God," he said, "we see here this day a free parliament, and that it may continue so I hope is in the heart of every good man of England; for my own part, as I desired it above my life, so to keep it free I shall value it above my life." This, he afterwards said, was the hopefulest day his eyes ever saw. That the parliament had been freely elected within the widest limits of loyalty to the Commonwealth was at once shown by the appearance of a formidable opposition, composed partly of irreconcilable republicans, partly of Presbyterians, anti-republicans at heart and mortal enemies to Cromwell's policy of toleration. Instead of proceeding to business, the Presbyterians and the irreconcilable republicans combined fell to overhauling the Instrument of Government and questioning the right of the Protector. The answer to their questionings was that, if they wanted divine right, Heaven, by Cromwell's hands, had saved them all; and if they wanted human right, it was by virtue of his writ that they were there. The writ bore on the face of it an engagement not to disturb the government as settled in a single person and



1654 a parliament. It became necessary to put to each member a test re-affirming the obligation of the writ, which was taken by about three hundred of the four hundred members in attendance, while it was refused by the rest. The Presbyterians having, as Cromwell said, since they had ceased to be oppressed by the bishops, become themselves the greatest oppressors, ever bent on persecution, and alarmed by the growth of strange sects, strove to limit the toleration secured to Christian sectaries under the Instrument. They pounced upon Biddle, a Socinian, and would evidently have dealt with him in the spirit of their atrocious enactment under the Long Parliament, had not the Protector snatched him from their fangs and sent him off to kind confinement in the Scilly Islands. The coalized oppositions had thus assailed two of the Protector's three fundamentals. It seems that they assailed the third fundamental, the settlement and control of the army, at least by withholding supplies, which drove the army to free quarters and endangered its subordination. The Protector expostulated with fervour. At length, weary of the fractiousness of the parliament and of its waste of time, 1655 he called it before him in the Painted Chamber, and after another long speech of expostulation pronounced its dissolution. He could say with truth that he had allowed it to deal freely with everything but the foundations of his government. To allow these to be subverted would have been to throw the nation back into the vortex of confusion from which it had just emerged.

There was now a recurrence to unparliamentary government, legislation by ordinance, and what, without paramount necessity, would be justly branded as arbitrary rule. It must be borne in mind, however, that Cromwell

was not a despot. He had always to carry with him his council of state, and such men as Lambert, Fleetwood, Desborough, Montague, Lisle, and Skippon were not likely to be ciphers. If his policy ever wavers, deference to the council may, as has been suggested, have been the cause.

Against the payment of customs duties imposed by ordinance in council a legal protest was made by a merchant named Cony, who, if the question had been decided in his favour, would have broken up the army, and with the army the government. He was silenced, apparently not in the most regular way. Such are the incidents of revolutions, and they are reasons for avoiding revolutions and making the past as far as possible slide quietly into the future.

It may well be that military command had made Cromwell somewhat arbitrary, and that his dizzy elevation had not been without effect even upon that strong head. But if it was by force that he upheld his tottering government, it was in something other than force that he strove to give it root. "I perceived," says Baxter, an adverse and unexceptionable witness, "that it was Cromwell's design to do good in the main and to promote the Gospel and the interest of godliness, more than any one had done before him; except in those particulars which his own interest was against: and it was the principal means that henceforward he trusted to for his own establishment, even by doing good: that the people might love him, or at least be willing to have his government for that good, who were against it, as it was usurpation." "Some men," says Baxter, "thought it a very hard question, whether they should rather wish the continuance of an usurper who

would do good, or the restitution of a rightful governor whose followers would do hurt." We may be sure that an increasing number chose the first horn of the dilemma. Algernon Sidney, no uncritical judge, said that the Protector had very just notions of liberty. Milton, though he uttered some anxious words of warning, remained steadily Oliverian. The question is, whether the man was tending and working towards the restoration of constitutional liberty or away from it. Milton must have thought he was tending and working towards it. What Milton might have thought had his hero put on the crown we cannot tell.

Cromwell had told the parliament that by quarrelling with the government it was nursing conspiracy. The truth of his words was proved by a rising of the royalists in the north and west; in the west under Penruddock on a serious scale. This was put down with vigour, and the royalists rose no more. But there was never an end of plotting against the Protector's life by royalists, irreconcilable republicans, Fifth Monarchy men, or all combined. Hume says Cromwell's nerve was shaken, but he has embellished a passage in the work of Dr. Bate, court physician to Charles II. Cromwell took precautions, of which the author of "Killing no Murder" told him, and Gerard and Vowel showed him, he had need. But there is no reason to believe that the fear of assassination, unmanning as it usually is, shook his nerve or affected his policy. It certainly never overcame his clemency. Of the forty men arrested for the murder plot of Vowel and Gerard only two suffered; only two suffered for Slingby's plot to deliver Hull to the Spaniards and give up London to fire and blood. For the rising of the royalists under



Penruddock, though a number were transported, few were put to death. Ormonde, Cromwell's most formidable as well as most respectable opponent, came to London in disguise to organize conspiracy. His presence was detected. Cromwell took Lord Broghill, Ormonde's former associate, aside and said, "If you wish to do a kindness to an old friend; Ormonde is in London, warn him to be gone."

It was after the royalist rising of Penruddock in the west that Cromwell had recourse to the appointment of major-generals, district commanders empowered, each in his province, to keep order, organize the defensive forces, disarm rebellion, and apply the moral code of the Protectorate. To these administrative duties was added the more odious and arduous task of collecting the income tax of ten per cent., which, after the risings in the north and west, the Protector determined to levy upon the Cavaliers. An exceptional tax laid on a political party could be reconciled with the Act of amnesty only on the strained hypothesis that the whole party had been morally implicated in the insurrection. It could not fail to perpetuate and embitter a division, which it was the object of a healing policy to efface. The major-generals seem to have done their unpopular duty well. Yet Cromwell felt that the experiment was a failure and allowed it, when parliament met, to be voted down. 1655

With his royalist enemies the Protector dealt firmly yet mercifully. With old republican friends, estranged from him and plotting or acting against him, such as Harrison, Ludlow, and Overton, he dealt tenderly, never inflicting on them anything worse than temporary restraint or dismissal from the service. Nor did he hurt their consciences by the imposition of any test or oath.

Necessity compelled Cromwell to interfere in some degree with the ordinary course of justice. Lilburne, who came over from the continent on his usual mission of unsettlement, having been acquitted by a sympathizing jury, was sent back to prison after his acquittal, probably for his own good. He was presently liberated, and, his fire as an incendiary having burnt out, died a Quaker and in peace. Conspirators in assassination plots were sent before a high court of justice, consisting of the judges, with some officers of state and a number of other commissioners, which sat in Westminster Hall, proceeded according to the forms of law, and, unless the subversion of the government and the assassination of its head were no crime, shed not a drop of innocent blood.

One ordinance restrained the publication of news; another, towards the end of the Protectorate, established a censorship of the press. But it does not appear that the first ordinance practically went, or that the second was intended to go, beyond the actual necessities of police. Even a government after Milton's own heart could not have permitted the circulation of "Killing no Murder," or of what purported to be a royal proclamation promising rewards for the assassination of the Protector by pistol, sword, or poison. Tracts very hostile to the Protector and his government were allowed to circulate with freedom.

Triumphant over royalist rebellion, successful in diplomacy and war, Cromwell, after seventeen months of personal government, ventured again to call a parliament. This time nothing was to be risked. The known malcontents, about ninety in number, were from the first excluded. The exclusion, though veiled under a legal

form, was an act of arbitrary power. The justification for it was that if these members had been allowed to take their seats they would have done their best to overturn the government; that if they had overturned the government, they would have brought in, not the republic, of which Vane dreamed, nor the reign of the saints, of which Harrison dreamed, nor the Covenanting king and the Calvinistic church, of which the Presbyterians dreamed, but the Stuarts; and that if they had brought in the Stuarts they would have annulled the revolution, wrecked the cause, and, if they were regicides, have set their own heads, as some of them ultimately did, on Temple Bar.

After the exclusion, the parliament still numbered some three hundred and sixty members, friendly in the main. A decisive moment had now arrived. A long train of waggons was bearing through London streets the golden spoils and trophies of Blake's victories over Spain. A poet was writing,

“Let the brave generals divide the bough,  
Our great Protector hath such wreaths enow;  
His conquering head has no more room for bays;  
Then let it be as the glad nation prays,  
Let the rich ore forthwith be melted down,  
And the State fixed by making him a crown;  
With ermine clad and purple, let him hold  
A royal sceptre made of Spanish gold.”

The time seemed to conservatives, probably to Cromwell himself, to have come for completing the restoration of the old political constitution by reviving the hereditary monarchy and the House of Lords. The Protector was invited by the parliament to take upon him the government by the title of king. 1657



Then followed the most anxious deliberation in Cromwell's life, a deliberation not the less anxious because in familiar consultation with his friends his anxiety sometimes disguised itself in levity. He spoke himself of royalty with indifference as a feather in the cap, a shining bauble to dazzle the kneeling crowd. It is not incredible that a man who has done great things in a great cause may, by the grace of Heaven, keep his heart above tinsel. But in the frame of mind in which the nation then was, the title of king might, apart from any love of tinsel, seem essential to the policy of reconstruction. The people, as they then were, mostly craved for it. The lawyers, as their formularies were identified with it, fancied that they could not get on without it. It was constitutional, while the title of Protector was revolutionary; it indemnified, under the statute of Henry VII., persons adhering to a king in possession, while the title of Protector technically did not. There cannot be any doubt that Cromwell himself was minded to accept it. But the stern republicans of the army were resolved against monarchy. It was not for a king that they had faced death on the field of battle. To their opposition Cromwell yielded. Probably he not only yielded to it, but respected it. To be turned from his course by fear, it has been truly said, was not a weakness to which he was prone. But ardent, sanguine, full of resources as he was, he was the victim of no illusions. He knew the difference between the difficult and the impossible. He faced difficulty without fear, he recognized impossibility without repining, and turned his mind steadily towards the future.

So it was decided that Cromwell should not mingle with the crowd of kings; that he should wear no crown but

Worcester's laureate wreath, and the laureate wreath of Milton's verse. His monarchy would not have been a Stuart monarchy. It would have been a constitutional and protestant monarchy, with parliamentary legislation, parliamentary taxation, reform of the electorate, an enlightened and vigorous administrative, the service of the state open to merit, law reform, church reform, university reform, the union, political and commercial, of the three kingdoms, Ireland settled, the headship of the protestant interest in Europe, and a large, though not full, measure of liberty of conscience. Such it would have been while its founder lived. After him would have come a dynasty with dynastic infirmities and accidents. But this dynasty would have been bound, as a manifest emanation from the national will, by pledges even stronger than those which bound the line of Hanover to constitutional government. Nor could it have restored prelacy.

Part of the policy of restoration, however, was carried into effect by the set of enactments called the Humble Petition and Advice, to which the Protector gave his assent. Instead of an elective Protectorate, Cromwell was empowered to nominate his successor. The Upper House of Parliament was revived. It was to consist of not more than seventy or less than forty members, to be nominated by the Protector with the approval of parliament. The constitution in some minor particulars was more strictly defined; it received for the first time as a whole the sanction of parliament, which was extended to the series of ordinances made under the Instrument of Government by the Protector in council at the time when parliament was not sitting. Thus all was placed upon a legal basis. 1657

1657 To mark the legal commencement of his power, the Protector was installed with greater solemnity than before and with ceremonies more resembling a coronation. An account of the pageant is given us by Whitelock, who, though no lover of Cromwell, seems to have been impressed. In Westminster Hall, under a canopy, was placed a chair of state upon an ascent of two degrees; down the hall were seats for parliament, the dignitaries of the law, the mayor and aldermen of London. Thither on the twenty-sixth of June, 1657, went the Protector with his council of state, his ministers, gentlemen, sergeants-at-arms, officers, and heralds. His Highness, standing under the canopy of state, the Speaker, in the name of the parliament, put on him 'the robe of purple lined with ermine,' delivered to him the Bible, richly gilt and bossed, girt on him the sword of state, and put a golden sceptre into his hands. Only the crown was wanting. The Speaker then gave him the oath to observe the constitution, with good wishes for the prosperity of his government. The chaplain next by prayer recommended the Protector, the parliament, the council, the forces by land and sea, the whole government and people of the three nations to the blessing and protection of God. Then the people gave a shout and the trumpets sounded. The Protector took his seat in the chair of state, with the ambassadors of the friendly nations and the high officers of the Protectorate round him, and, as he did so, the trumpets sounded again, heralds proclaimed the title of his Highness, and the people shouted once more, "God save the Lord Protector." At the gorgeous coronation of Napoleon, someone asked the republican general Augereau, whether anything was wanting to the splendour of the



scene. "Nothing," replied Augereau, "but the half million of men who died to do away with all this." There was not much in Cromwell's installation to do away with which any man had died. The pageantry was solemn and symbolic, without tinsel or outworn forms.

More state, however, after this legal inauguration was observed in the Protector's household and about his person. His family was treated as half royal; the title of Lord was given to his chief officers. He conferred baronetcies, hereditary honours, as well as knighthood. He made two peers. It is pretty clear that the restoration of hereditary monarchy, though in a constitutional form, and of an hereditary peerage, was still in his mind. Had he succeeded, there would have been an anticipative 1688 with a reformed House of Commons and a Puritan instead of an Anglican church establishment.

This parliament wasted time and violated one of the fundamentals by the persecution of Naylor, a fanatic. 1656  
But it voted supplies, and on the whole during its first session acted cordially with the Protector. Hope dawned on the enterprise. But the dawn was once more overcast. When parliament met again after the recess it was with 1658  
the excluded members restored to their seats and with an upper House. The upper House was a false move and a failure. The selection of the members had been good, and the response to the writs was on the whole satisfactory, though of the old nobility who had been summoned most refused seats beside Cromwellian generals who had once been mechanics, while Manchester, as Cromwell's old enemy, was sure to decline. Yet the arrangement would not work. The Protector said that he wanted something to stand between him and the lower House, his direct con-

tests with which were no doubt laying a heavy strain upon his government. But to make up the House of Lords he had been compelled to take many of his supporters from the House where the great battle of supplies was to be fought, and he had thus probably broken up the lead for the government there. The consequence was that the lower House fell foul of the upper, and the ship became unmanageable once more. In vain the Protector addressed to the Commons a long and earnest exposition. Haselrig, Scott, and the other irreconcilable republicans, having the upper hand in the Commons, meant mischief and were not to be soothed. At length the Protector had to dissolve the parliament with thunder in his tone. "If this be the end of your sitting and this be your carriage, I think it high time that an end be put  
1658 to your sitting. And I do dissolve this parliament. And let God be judge between you and me."

In these contests with refractory parliaments the soldier and statesman had to play the part of an orator. He was too old to learn a new art. He did not prepare his speeches; and when he was asked to write out one of them a few days after it had been delivered, he declared that he could not remember a word of it. Clumsier or more uncouth compositions than the reports which have come down to us the records of oratory do not contain. We can understand the contempt expressed for them by a polished sceptic like Hume. The grammar is hopeless, the confusions of metaphor are grotesque. We have God "kindling a seed"; the Lord "pouring the nation from vessel to vessel till he poured it into your lap"; God "bringing people to the edge of Canaan and enabling them to lay the topstone to their work." The last and

most illustrious editor only provokes our criticism by his running commentary of devout ejaculations. But the speeches are not king's speeches. There runs through them all a strong though turbid current of thought. They are the utterances of one who sees his object clearly, presses towards it earnestly, and struggles to bear forward in the same course the reluctant wills and wavering minds of other men. The great features of the situation, the great principles on which the speaker was acting, are brought out, as Guizot says, with a breadth and force which are strong proof of statesmanlike intellect, perhaps not a small proof of good faith. He pleaded to deaf ears. It is vain to rail at those who refused to listen to him, and thwarted him to the end. They were not great men. They were contending, many of them at least, in singleness of heart for what they believed to be the good cause. They might say with truth that Cromwell had changed; that the language of the head of the state was not that of a soldier of the revolution; that his mind had grown broader; that his vision had been purged, since he had risen to a higher point of view and to clearer air; and as he had changed, they might represent him to themselves as a renegade. Such partings there are in all revolutions. Nor is it unlikely that Cromwell, satisfied of the necessity of his measures, and conscious of the goodness of his motives, may have carried matters with too high a hand and shown too little respect for old associations and for opinions with which he had once expressed sympathy, if they had not been in some degree his own. Respect is always due to those who struggle for law and liberty against what they believe to be lawless power. Yet these men were paving the way for the restoration of the Stuarts.



1656-  
1657

When the necessary supplies could not be obtained from parliament, the Protector was compelled to levy the old taxes by ordinance in council. But he did this with reluctance and with a manifest desire to return to parliamentary taxation as well as to parliamentary government in other respects. The spoils of Spanish galleons captured by Blake helped his treasury for a time. Still his great difficulty was finance. He was rolling up debt while the pay of his soldiers was in arrear. It does not appear that he ever thought of funding the debt, which besides relieving him of the financial pressure would have bound the public creditor and commerce in general by a strong tie to his government. There was, at all events, no waste or corruption. The Protector offered to lay the financial administration open to the most rigorous inspection. He was not afraid, he said, on that score to face the nation. He was ready to do anything except to allow the government to be overturned; rather than that, he said, he would be rolled with infamy into his grave.

Amidst all his difficulties, parliamentary or financial, through all his struggles with rebellion or conspiracy, the great objects of Cromwell's national policy were steadily pursued. On what he deemed a right settlement of the church above all things he had set his heart. His policy was not, like that of Milton and the thorough-going Independents, disestablishment, but comprehension, with a complete outside toleration of all tolerable opinions, that is, of all except popery, prelacy, and such as were revolutionary or immoral. In London, Lancashire, and less perfectly elsewhere Presbyterianism had been organized and the Protector left it; otherwise congregationalism seems to have been practically the rule, with no

small diversity of creeds among the ministers, Baptists who did not object to an establishment being included. For that day a great stride was made if men who differed about infant baptism could own a common Christianity and worship side by side. Within the protestant pale the clerical test was to be character rather than creed. The commissioners appointed under the Protectorate to weed and recruit the church on that principle appear, on the whole, to have done their work well. They deprived Pocock, the great orientalist, but this mistake was set right. The anti-Cromwellian Baxter at least admits that the commission put in able and serious preachers who lived a godly life, of what tolerable opinions soever they were, so that many thousands of souls blessed God. Of the ejections, he says, six out of seven were not for opinion or on political grounds, but for insufficiency or scandalous conduct. Anglicans were left in their livings if they would forego the use of the Anglican ritual. Thus the protestants reaped the religious fruits of the revolution. The parish system and even patronage remained undisturbed. Some better mode of payment than tithe was contemplated. But with that thorny question the Protector did not find time in his short reign to deal.

Papists and prelatists were still excluded from toleration. Prelatists, however, were generally unmolested and allowed to hear Jeremy Taylor in peace. Once, after a great royalist rising, a fierce ordinance was launched 1655 against the ejected Episcopalian clergymen, who would probably be active in fomenting disturbance; but it seems that it was intended only to intimidate, and that there were no prosecutions. There is reason to believe that Cromwell himself was not disinclined to unprelati-

episcopacy. He honoured Bishop Usher and gave two hundred pounds for the bishop's funeral. Wilkins, who married his sister, was afterwards a bishop. Prelatists were not, like papists, excluded from the franchise by the Instrument of Government. Papists, popish priests at least, Cromwell could not venture openly to tolerate. But he could truly tell Mazarin that he dealt mercifully with them, nor did he ever rack conscience.

Sectaries Cromwell protected as far as he dared. Bidle the Socinian he had rescued from the first parliament; Naylor he tried to rescue from the second parliament, which showed its temper by sentencing a delirious but harmless fanatic to be whipped, branded, have his tongue bored with a hot iron, ride a bare-backed horse, and be imprisoned during the parliament's pleasure. In the controversy between Cromwell and his parliaments, there can be no doubt which was the side of religious freedom. Quakers in those days were not all of them peaceful children of the inner light; some of them were aggressive, interrupted the worship in the "steeple-houses," insulted the preachers, and offended public decency by going about naked and proclaiming woe upon the realm. Cromwell had to leave disorder to be dealt with by the magistrates. But he liked to commune with such enthusiasts as George Fox. This may have been partly his policy. Yet it seems possible that, much as his intellect had grown and his worldly wisdom had increased, he may have in some degree retained his simplicity, and have remained open even to fanatical preaching of the doctrine which had been to him in early days, the spring of spiritual life. He tried to procure a legal re-admission of the Jews to England, whence they had been excluded since the time of Edward I.,



and, failing in this, himself opened the door to individual Jewish immigrants. He, of course, devoutly believed in the people of the old covenant, and understood as little as others the Talmudic Judaism with which he had in fact to deal or its probable working as a parasitic growth on the tree of national life.

The years of Cromwell's rule over Scotland, as Burnet, a Scotchman and not a Cromwellian, says, were reckoned years of great prosperity. This, free trade with England, never before enjoyed, nor for half a century to be enjoyed again, would in itself be enough to secure. Baillie, the staunchest and narrowest of Presbyterians, corroborates the statement of Burnet in regard to Glasgow, where he lived. Scottish society, after wars between factions, between sections and sub-sections of factions, was, not less than that of England, in need of a constable. In Scotland the constable was Cromwell's vice-gerent, General Monck, who, while he was ready to serve anybody, as in the sequel he showed, served everybody well. Monck proclaimed the Protectorate with promises of freedom of trade with England; fair measure to Scotland in apportioning taxation; abolition of all tenures implying vassalage and servitude; liberation from feudal services; and popular courts baron in place of heritable jurisdictions. He seems to have kept good order without giving much cause for complaint of military rule. His arms carried law into the Highlands, whither the Scotch government had never been strong enough to carry it. The wild Highlander was bridled with forts for his own good. Lord Broghill, who for a time presided over the administration, seems likewise to have done well and even to have won golden opinions. Cromwell formed a plan for carrying

Christianity as well as law into the Highlands, which had hitherto been heathen. The yoke of a most oppressive aristocracy was broken, and law reigned in its place. Justice was dispensed by judges, some of them English, of whom a Scottish jobber plaintively spoke as "kinless loons." Without family connections to guide their judgments, they gave satisfaction to the kinless. For the kinless altogether it was a good time. "The meaner sort in Scotland," an English official could say, "live as well and are like to come into as thriving a condition as when they were under their own great lords, who made them work for their living no better than the peasants of France." A middle class began to raise its salutary head. Independent soldiers sometimes took the word of God out of the mouth of his minister; sometimes they sat in derision on the stool of repentance; one of them, at least, guided a Scottish maiden in ways which did not lead to heaven, and with the partner of his offence was severely punished. But on the whole their discipline seems to have been excellent. Released for the time alike from the tyranny of the prelates and from the tyranny of the Kirk, the Scottish mind enjoyed a spell of freedom of which it appears to have taken advantage, it might be in somewhat erratic ways. Strong Presbyterians, moreover, complained that the English were slack in their persecution of witches. Scotch patriotism is represented by recent writers as having resolutely rebelled against union and brooded over the memory of Bannockburn. But where is the proof of this? Do we not now in these days of historical revival think more of Bannockburn than did the people of those times? "All this prodigious mutation and transformation had been submitted to with the same

resignation and obedience, as if the same had been transmitted by an uninterrupted succession from king Fergus : and it might well be a question, whether the generality of the nation was not better contented with it, than to return into the old road of subjection." So says Clarendon when by the Stuart Restoration the union with Scotland is being repealed.

That Cromwell wanted to extirpate the Irish people is false. It is true that he wanted to extirpate Irishry. He wanted, that is, to root out the lawlessness, turbulence, and thriftlessness which were the faults or rather the misfortunes of the Celt, and to plant English law, order, industry, and prosperity in their room. The catholic Celts in 1641 had attempted to extirpate the protestant Saxons. Having been beaten after a struggle of hideous atrocity, they forfeited to the victors the ownership of a great part of their land, which was divided among adventurers who had advanced money for the war, and soldiers who had received land scrip as their pay. This was the fell outcome of a strife perennially waged between the races for the land. It was not Cromwell's doing, though he accepted it when it was done. To take the land from the victor and restore it to the vanquished, had such been his desire, would have been utterly beyond his power. Besides, what was he to do with the victorious race? Eject it from the island? Otherwise must there not have been a perpetually renewed war of race? It was evidently the desire of the Protector to rule Ireland for her good, as he understood it, that is by making her a second England in order and industry. When he was in command there he had shown himself determined to protect the common people if they would be quiet



and obey the laws. Land-owners and priests who had led rebellion and massacre it was out of his power, even if he wished it, to protect. In his manifestoes he addressed the Irish not as though they were Canaanites or noxious savages, but in the language of earnest and benevolent expostulation. He got as many of those who had taken an active part in the rebellion as he could out of the way, at the same time ridding the island of turbulence and brigandage, by his encouragement of military emigration. Destitute women and children unhappily were left, of whom some hundreds were shipped to the West Indies, a horrible termination of a long train of horrors. In keeping up the proportion between the sexes in the colonies Cromwell was wise.

It is said that Cromwell ought to have recognized Irish nationality, and based on it his policy of reconstruction. How could he recognize that which did not exist? The Celts of Ireland were not a nation, but the wreckage of dissolved clans. Their only bond of union besides race was a religion, the priests of which had been the most active leaders of the rebellion, with a papal nuncio at their head to show that they were the liegemen of a foreign power. Could Cromwell build civilization on tribalism, industry on lethargy, order on lawlessness, however fascinating and picturesque? Had his policy been maintained, the Celt, in three out of the four provinces, would have been for a time the labourer, with the Saxon proprietor for his master, and would thus have received a training in industry of which he otherwise had little chance. Nor could any Saxon master be more oppressive and insolent than the loafing and coshering gentleman who represented the old Celtic chief. The Mass, Crom-

well plainly told the Irish, would not be suffered. But he declared that he meddled with no man's conscience. Evidently he did not want to meddle more than he could help with any man's form of worship. Nor is it likely that Mass ceased to be performed. The Protector gave Ireland the best chance of peace and justice by a legislative union with England which brought both her races and both her religions under the broad ægis of imperial rule. He gave her deliverance from the alien Establishment. He gave her the inestimable boon of free trade with England. He sent her good government in the person of his son Henry, who showed himself on the side of mercy and toleration. He sent her justice such as she had rarely before known, in the person of his chief justice, Cooke. He regarded her, to use his own phrase, as a blank paper, open for the trial of measures of law reform to which, in England, vested interests were insuperably opposed. That she prospered under him there can be no doubt. Clarendon, an adverse witness, testifies to the marvellous growth of buildings, not only for use but for beauty, of plantations, and other signs of material improvement. Had Oliver lived longer, or left heirs of his policy, Ireland, three parts of it at least, might have been as Ulster, and the Irish problem would, in one way at all events, have been solved. Of the disasters and horrors which followed the dissolution of the union; of the government of Ireland as a dependency by crown influence and corruption; of the restoration of the alien church with its bloated uselessness and its tithe-proctors; of the fatal shackles laid on Irish trade and industry; of the rekindling of the fires of enmity between the races and religions under James II.; of the outpouring of pro-

testant vengeance in penal legislation against the catholics which ensued, the blame rests, not on the Protector, but on those by whom his work was undone. The restrictions afterwards laid on Irish trade and industry by the commercial jealousy of England were fully as great a source of mischief as anything else, and these would have been precluded by the union.

Not least among the objects of the Protector's policy was law reform. Had not professional prejudice stood in the way, had not the sons of Zeruah, to use his own phrase, been too strong for him, he would have put an end to the delays of the court of chancery and to the absurd or iniquitous mysteries of technical law. What he was debarred from doing in England he did in Ireland, where the despatch of causes by his chief justice put to shame the dilatoriness of the English courts. He would also have revised the criminal law in the light of humanity. Though never theoretically a democrat, and now half a king, he was still a man of the people, and a friend of justice to the poor. It was a scandalous thing, he said, that a man should be hanged for a theft of twelvepence or sixpence, when greater crimes went unpunished. Had he succeeded, the savage multiplication of capital offences which dyed the code of the next century with blood might have been averted, and the work of Romilly might have been forestalled. The Protector's power was used for popular purposes though concentrated in a strong hand.

1655 Commerce was strenuously fostered. A committee of trade was formed, and Whitelock, who was one of the members, tells us that this was an object on which the Protector's heart was greatly set. To open up trade, as



well as to form a protestant league, treaties were made with the northern powers. The treaty with Denmark opened the Sound. There was free trade with Scotland and Ireland. Cromwell may, therefore, rank among the free traders. He believed in the navigation laws, but so did Adam Smith; and, in truth, the navigation laws, though rightly repealed in our time, appear, as a measure of national policy in a struggle with commercial rivals, who were not cosmopolitan, to have had the desired effect.

The colonial policy of the Protectorate seems to have been liberal and benevolent. The Puritan Protector showed his love of Puritan New England by respecting her independence while he favoured her trade. "English history," says the American historian, "must judge of Cromwell by his influence on the institutions of England; the colonies remember the years of his power as the period when British sovereignty was for them free from rapacity, intolerance, and oppression." That abstention from interference did not proceed from lack of interest in the colonies the Protector showed by his attention to the affairs of Newfoundland, to which he sent the first real governor in the person of the able and honest Treworgie. 1653  
"Even in our island," says the last local historian of Newfoundland, "the sagacious statesmanship and firm, strong hand of Cromwell made themselves felt." In proposing to transfer the New Englanders to Jamaica, the Protector's object probably was not only to give them a more genial abode, but to plant a stronghold of protestantism and of English commerce within the realms granted by the papacy to Spain. Herein he erred, and mankind may be thankful to the fathers of the American republic who clung to their austere home.

Of Cromwell's foreign policy the great aim was to unite protestant Christendom and put England at its head. He bore himself as the successor of Gustavus Adolphus and of the councillors of Elizabeth. He formed alliances with the protestant powers, Holland, Sweden, and Denmark. Christina, queen of Sweden, the daughter of Gustavus, before the madness which mingled with the heroic blood of Vasa had made her its prey, heartily acknowledged her father's heir. Her master of ceremonies was not so kind; but when Whitelock, the English ambassador, made his entry into the Swedish capital it snowed; and it was trying for the master of ceremonies to stand bareheaded in a snowstorm, bowing to the representative of a regicide republic. It appears that Cromwell had thought of a still closer union of protestant states, and even of some common organ for the propagation of protestantism to countervail the catholic Propaganda. When the papal Duke of Savoy persecuted with hellish cruelty the people of the protestant valleys, Cromwell at once stretched his mighty arm over his oppressed brethren in the faith. The passionate zeal which he showed in this cause, and which rings through his secretary's sonnet, amidst all his home difficulties, and with the dagger of the assassin at his breast, seems a strong proof of the genuineness of his religious feeling. In chastising by the hand of Blake the pirates of Algiers and Tunis, he presented himself as the champion of Christendom. Having to choose between France and Spain, on the rivalry between which European policy hinged, Cromwell decided for France on the religious ground. France, he said, though catholic, was less papal than Spain, while Mazarin was no bigot, but an Italian statesman, and feared Cromwell, men thought,

more than the devil. In fact, Cromwell was able through his influence over Mazarin to extend his protection to the Huguenots.

Was this policy an anachronism? Had the treaty of Westphalia finally closed the struggle between the religions in Europe? The Vaudois were still being persecuted. The Huguenots were still being harassed. The fires of the Inquisition were still burning. Louis XIV., with his satrap, James II., the revocation of the Edict of Nantes, the expulsion of the protestants of Salzburg, were still to come. Two contrasted and antagonistic masses of opinion and character, two realms which to a fervent protestant might seem, one that of light, the other that of darkness, still divided Europe. Apart from specific dogma, protestant countries were natural allies. The Puritanism of which Cromwell was himself the offspring and the champion, was it not a birth of that day, and was not the papacy its natural foe? Cromwell was a religious enthusiast without much culture. His enthusiasm, when it came into play, was not unlikely to carry him beyond the bounds of reason. From this tendency his project of protestant union under English leadership may not have been free. At all events his policy was moral and grand.

Less easy is it to defend the Protector's conduct in attacking Spain without definite cause or declaration of war. Here he may well be said to have been acting out of date, in the spirit of the Elizabethan buccaneers. Nor can it be doubted that his object was in part to replenish his empty treasury from the treasure fleets of Spain, though it was in part to break, in the interest of England, the Spanish monopoly of those golden realms. His apology would be that there was no peace beyond the line, and that in those



waters Spain, on the strength of a papal grant, waged perpetual war on all mankind. It might also be pleaded for him that there was what may be called normal war between France and Spain; that both those powers had courted his alliance, and neither could complain if he accepted the alliance of its rival. If he, and England with him, sinned, the punishment followed; for the possession of Jamaica and the other slave islands proved a curse, and a burden, though mitigated by emancipation, it remains at this hour.

It has been truly said that Englishmen are not at ease in their aggrandizement unless they can believe themselves to have a moral object, and that Cromwell was in this respect a typical Englishman. But the combination was more genuine, the illusion at least was easier in the case of one who served the God of the Old Testament than it is in that of the imperialist of the present day.

To the charge of having unwisely taken part with the more dangerous against the less dangerous of the two powers, the fair answer would be that the decay of Spain was not then apparent; that nobody could have foreseen Louis XIV.; and that Louis XIV. would never have been the tyrant of Europe if England had not been put under his feet by the restored Stuarts.

1658 England seems to have still hankered for a Calais as a gate for her continental ambition. Cromwell won for her, as the price of his alliance with France, Dunkirk, an acquisition which would now be insane, but was less so when Dunkirk was a commercial key and had been a lair of privateers.

To the fatal war with the Dutch, Cromwell's wisdom put an end, though he was too haughty and exacting in

his negotiations for peace. His chief object was the exclusion from power of the house of Orange, allied by marriage to the Stuarts. This he obtained, not from the States General, but from Holland, the republican rulers of which were no less desirous of keeping the Stadtholderate in abeyance than Cromwell was of depriving the Stuart pretender of support. The protestant republics were natural allies of the protestant commonwealth, but commercial rivalry prevailed, and the estrangement had been increased by the late war.

Of the majesty with which this upstart bore himself in his dealings with foreign powers, of the height of grandeur to which he raised his country, the royalist historian is the unwilling witness. He gave England a confidence in herself which she has never lost. He perhaps gave her too much confidence in herself, at least taught her to be too self-asserting. His saying that he would make the name of Englishman what that of Roman had been, a swelling phrase on his lips, becomes mere arrogance on ours. Between him and the jingo of the present day if there is an affinity, the contrast also is great.

A Puritan government was always in danger of meddling too much with private tastes and habits. Yet the meddling does not seem to have been very vexatious or oppressive. Bear-baiting, bull-fighting, and cock-fighting were prohibited. Horse-racing was forbidden for a time, but a major-general gives permission for a horse-race, saying that it is not the Protector's intention to abridge gentlemen of their sport, but only to prevent the confluence of enemies to the government. Cromwell himself was a lover of horses. If betting was prohibited, few, seeing what a gambling-table the turf can become, would

deem the prohibition noxious. Duelling, the privilege of a caste, was denied to the gentry. Houses of ill-fame and gambling-houses were suppressed; the licensing of taverns was strictly controlled. The boundary of legitimate interference was approached when blasphemy and swearing were made penal. It was overstepped when May-poles were prohibited as heathen. Village wakes may have been sometimes scenes of riot. Harsh and mischievous was the closing of the theatre, though, if the office of the drama is to purify the affections, its office was hardly performed by the drama of the later Stuarts. Players were treated as vagabonds. Opera was allowed, the Protector being fond of music. Light, though not licentious literature was free and abounded. The worst of the system probably was the Puritan Sabbath, with its dull gloom and its denial of innocent pastimes on Sunday afternoon. In reading Evelyn's diary we do not feel that there is a pall over social life, while the opening pages of Pepys introduce us at once to a convivial and card-playing society. Still, there may have been enough of restraint to cause natural disaffection and to make a large, though not the best, class welcome a return to license.

Cromwell was not, like Eliot, Pym, and Hampden, cultivated; yet he had been bred at a classical school and at Cambridge, and, what was of more consequence, he had been trained intellectually by converse with the highest intellects on the highest subjects of the time. Though unlearned himself, he fostered learning. He saved the Universities of Oxford and Cambridge from the fanaticism which would have destroyed them as seats of mere human knowledge. Of the University of Oxford he made himself chancellor, and startling is the appearance of his name



in a series of high churchmen and Tories. He founded the University of Durham. Alone of English princes he set himself to draw merit and promise from the universities into the service of the state. The men whom he placed in academical office were Puritans, of course, and as Puritans narrow, but they were learned, and ruled well. Nor was the narrowness extreme, since now it was that Oxford was in part the home of the circle, including Wilkins, Boyle, Wallis, Seth Ward, and Wren, which gave birth to the Royal Society. At the Restoration, Clarendon found the University of Oxford abounding in excellent learning, a result due, as he thinks, to the goodness and richness of the soil, which could not be made barren by all the stupidity and negligence, but choked the weeds and would not suffer the poisonous seeds, which were sown with industry enough, to spring up. The soil must have exhausted its virtues in the effort, if we may judge from its products after the Restoration. Mr. Masson has given us a list of about seventy men of literary or scientific celebrity, actual or to come, who were alive at the midpoint of Oliver's Protectorate, and lived under his rule, some freely and others by compulsion. The list includes, besides religious writers and preachers, Waller, Milton, Harrington, Wilkins, Wallis, Cudworth, Algernon Sidney, Andrew Marvell, Petty, Boyle, Bunyan, Temple, Dryden, Locke, Hales, Hobbes, Walton, Fuller, Pocock, Davenant, Browne, Jeremy Taylor, Cleveland, Denham, Cowley, Barrow, and South. Hobbes, Davenant, and Cowley are instances of men who returned from exile to live and write under the Protector's rule.

“Cromwell,” says Burnet, “studied to seek out able and honest men and to employ them; and so having heard

that my father had a very great reputation in Scotland for piety and integrity, though he knew him to be a royalist, he sent to him desiring him to accept of a judge's place and to do justice in his own country, hoping only that he would not act against his government ; but he would not press him to subscribe or swear to it." The man had a royal eye for merit and a royal heart to advance it in the state. He was not too nice in scrutinizing the opinions of able men, nor, so long as they served England well, did he too curiously inquire how they would serve Cromwell. There is no pledge of genuine greatness rarer or more decisive than the choice of men as associates who will not be tools. Blake, who gained the naval victories of the Protectorate, was a republican ; Lockhart, the chief instrument of the Protector's foreign policy and one of the first diplomatists of the day, as well as a distinguished soldier, was an old royalist whose value Cromwell had discerned ; so was Monck. Broghill, who served the Protectorate well in various capacities, not only was a zealous royalist, but was on the point of departure for the continent to concert measures with Charles II. when Cromwell surprised him by a visit and made him his own. Whitelock, the Protector's legal adviser, was, as Cromwell must have known, far from a devoted Oliverian. Sir Matthew Hale, chief justice under the Protectorate, had been counsel to Strafford and Laud, and had tendered his services to the king ; he well justified the Protector's choice by braving the wrath of the Protector himself, who, tried beyond endurance by the resistance to the establishment of his government, had been betrayed into one of those brief outbreaks of arbitrary temper which, though culpable in themselves, showed by contrast his general desire of gov-

erning by law. The Protector's second self was Thurloe, a man of supreme ability and the rival of Walsingham in the skill with which he managed the secret service so necessary to the safety of his chief and of government. A conspirator assured Cromwell that when in France he had not seen the Pretender. He was told that he spoke the truth, since the interview had been in the dark. Lockhart passed afterwards into the service of the Restoration as ambassador at Paris, and still showed the spirit of the Protectorate in altered times. The king of France produced a private letter from the king of England, obtained by corrupt influence and contrary to Lockhart's public instructions. "Sire," said Lockhart, "the king of England speaks to your Majesty only through me."

Royal natures, even on a throne, love simplicity of life. The Protector was treated as half a king; he had a court and he kept state as the head of a nation. But it was a state modest and rational compared with that of a Grand Monarch. Unrefined, and accustomed to the comradeship of the camp, he was apt in private to relieve his burdened mind with rude humour, boisterous merriment, and even practical jokes. But when he received ambassadors, he knew how to show himself the peer of kings. A leading part of his entertainments was music, which was his chief pleasure. The court was the first household in England, and, as enemies confessed, a good pattern to others, though it might not be altogether free from upstart vanity or intrigue. Whitehall was the scene of work. But sometimes the Protector shuffled off his coil of anxious business, and escorted by his life guards, whose attendance was no needless pageantry, rode down to Hampton Court. There he refreshed his soul with



quiet and country air. Thither he had brought an organ to chase away for an hour the throng of eating cares. His chief joy and comfort, however, were in his family, to which through all the chances and changes of his life, alike in trial and in victory, his heart had turned. All the members of it were gathered round him in the hour of his greatness and of his peril, and remained bound by strong affection to him and to each other. One was missing, Oliver, the eldest, who had died when in arms for the cause, and whose image, as we know from Cromwell's last utterances, never left his father's heart. Among the rest the Protector's mother, ninety years old, was brought to a scene strange to her and in which she had little comfort, for every report of a gun she heard seemed to her her son's death, and she could not bear to pass a day without seeing him with her own eyes. We may trust the brief account of her end which is found among the dry state papers of the unsentimental Thurloe. "My Lord Protector's mother, ninety-four years old, died last night. A little before her death she gave my lord her blessing in these words, 'The Lord cause his face to shine upon you and comfort you in all your adversities, and enable you to do great things for the glory of your Most High God, and to be a relief unto His people. My dear son, I leave my heart with thee. A good night.'" Jealousies there were sure to be in a new-made court.

It was impossible that a government resting on an army should ever cease to wear the aspect of a dominion of the sword, or fail to be in that respect odious to a free and law-loving nation. But the discipline of Cromwell's soldiers was excellent. "Sure," says Clarendon, "there was never any such body of men so without rapine, swearing,

drinking, or any other debauchery but the wickedness of their hearts."

The Protector's government was taking root, as a government, whatever its title, was sure to do when it gave the people peace at home, grandeur abroad, free trade, an open course for industry, and practical improvement. Even the old nobility were becoming satisfied of its stability, and willing to ally themselves with the blood of its chief. Lord Fauconberg married one daughter of Cromwell; the heir of the Earl of Warwick married another. The crown and church lands had sold well and their purchasers had formed a guard for the new order of things, like that formed for the French revolution by the peasant proprietary which it had created, though on a far smaller scale. Foreign powers evidently thought the Protectorate firmly established. Financial difficulties were pressing; there was a debt of upwards of two millions and an annual deficit; parliamentary supply was indispensable; but Cromwell was looking forward to meeting parliament again, and apparently with a fair prospect of success.

On the threshold of success was death; it was death 1658 for the Protector in a strange form; for, after all the battles and sieges, and all the plots of assassins, he died of grief at the loss of a favourite daughter and of watching at her side. When he found his end approaching he turned resolutely from the world to God. Napoleon's last words were "*Tête d'armée*"; Cromwell's were a prayer not unworthy to be the last utterance of Puritanism, which in fact expired when he died. A hurricane which blew just before his death seemed to mark the momentous character of the event, and to presage the storms which were to come.

Hallam, the most orthodox of Whigs, hating the religious enthusiast and the political usurper, says that the Protector had sucked only the dregs of a besotted fanaticism, and contrasts him with Napoleon, to whom the stores of reason and philosophy were open. Cromwell's fanaticism, at all events, did not lead him to sacrifice the lives of millions and the happiness of nations to the star of his own destiny. Yet he had set out as a fanatic, though his fanaticism was sincere and grand. Nor could he ever entirely put off the intellectual or the moral obliquity by which the character is beset. Up dangerous paths he had climbed, or rather had been drawn, to the height of power, and no doubt he had more than once slipped on the way. On one terrible occasion he had slipped indeed. That he had been led far from the simplicity of his early faith and enthusiasm, he was not unconscious. On his death-bed, he asked a minister whether those who had once been in a state of grace could fall from it, and being told that they could not, said that if it was so, he was saved, for he was sure that he had once been in a state of grace. He had undergone the evil influences, not only of faction, but of civil strife. His vision as a statesman could not extend beyond the horizon of his age, an age of state churches, of commercial monopoly, of religious and territorial war. But without being a demigod, he may have been a very great man. Nor is it strange that to a very great man a great nation in the throes of a revolution which stirred the depths of its soul, should have given birth. The Protector's greatness extorted the respect of enemies who countenanced plots against his life and afterwards trampled on his corpse. So much surely has never been done by any other ruler in



five troubled years, amidst constant danger to his person as well as to his government. A longer period of Cromwell, or of persistence in his policy, might have averted not only the reaction in England, with all the evil which it wrought, but the ascendancy of Louis XIV., and have changed the course of European history. The three kingdoms would have remained united, free trade among them might have sealed the union, and they would all have been rid of state prelacy. For the time Cromwell's work was undone, and on his fame settled a cloud of obloquy, which now and then lifted when disaster and disgrace under other governments forced England to think of his glory. Nor was this feeling otherwise than creditable to the nation so far as it arose from abhorrence, however misdirected, of usurpation, and from respect for constitutional liberty and law. The cloud is now dispersed, and Cromwell's work and name are accepted by his countrymen, to some of whom, perhaps, he has become an object of excessive admiration. As the world goes on and intelligence spreads the importance of individual leaders grows less, and hero-worship as a serious theory, if it is applicable to the past, is not applicable to the present. Yet, at a crisis, there may still be a call for a leader, and it is something to know that England has produced a leader indeed. Posthumous influence through their works is given to many, personal influence beyond their lives to few, but among those few is Oliver Cromwell.

Maidstone, who was steward of the Protector's household, said after his death, when flattery, at all events, was mute, "His body was well compact and strong, his stature under six feet (I believe, about two inches), his head so shaped as you might see it a store-house and shop

both, of a vast treasury of natural parts. His temper exceedingly fiery, as I have known; but the flame of it, kept down for the most part, was soon allayed with those moral endowments he had. He was naturally compassionate towards objects in distress, even to an effeminate measure; though God had made him a heart wherein was left little room for any fear but what was due to Himself, of which there was large proportion. A larger soul, I think, hath seldom dwelt in a house of clay than his was. I do believe, if his story were impartially transmitted, and the unprejudiced world well possessed with it, she would add him to her nine worthies, and make up that number a *decemviri*. He lived and died in comfortable communion with God, as judicious persons near him well observed. He was that Mordecai 'that sought the welfare of his people, and spake peace to his seed;' yet were his temptations, such as it appeared frequently that he, that hath grace enough for many men, may have too little for himself; the treasure he had being but in an earthen vessel, and that equally defiled with original sin as any other man's nature is." The last sentence shows that Maidstone, though a loving, was not a wholly uncritical observer.

Evolutionists must admit that, after all, much depends upon the man. Who was to fill Cromwell's place? It seems that he had executed a paper naming his successor, but the paper could not be found. There appears no reason to doubt that in his last moments he nominated his eldest son, Richard. Richard was weak, as his father must have too well known. But who else was there? Henry, the younger son, was a man of fine character and had ruled Ireland well, but he was not strong enough to stand by

his own strength alone. Ireton was dead. Of the army chiefs not one was a statesman; Lambert, the most brilliant soldier, least of all. Fleetwood was not more than respectable. Desborough was a hot republican full of turbulent ambition. Thurloe and Broghill were statesmen, but they had no hold on the army and no following. There was Fairfax; but Fairfax had sunk the soldier of the Commonwealth in the grandee, and had married his daughter to the by no means Puritan Duke of Buckingham. Richard had the shadow of hereditary right. He was a country gentleman and sportsman with little of the Puritan about him. He had scarcely mingled in politics; he was free from the stain of regicide; he had made no enemies; he was personally popular even with Cavaliers. On the other hand, he was not a soldier and had no hold upon the army. His undisturbed succession, however, showed that the Protectorate had taken root. Professions of adhesion came in from all the counties. Foreign powers recognized at once. Neither Mazarin nor Lewis de Haro would have anything to say to Charles Stuart. The royalists were passive, and when at length they rose in the north, under Booth, they were easily put down. Richard had shown folly and added somewhat to the financial difficulties by giving his father an enormously costly funeral, debasing thereby the memory which he intended to exalt. But in his new elevation he bore himself with unexpected dignity. He had Thurloe to manage for him, Broghill and other eminent men in his councils.

Thurloe, managing for the Protectorate, called a parliament. He called it on the unreformed footing, with all the petty boroughs, which he deemed more favourable to the government than the reformed; a bad omen, as well as



a sad relapse. The parliament, however, proved friendly, and in spite of the desperate resistance of the irreconcilable republicans, the men, as they styled themselves, of the good old cause, recognized the Protectorate and the upper House. So far Thurloe and the Protectorate triumphed. But close to Westminster and Whitehall the storm was gathering at Wallingford house, the residence of Fleetwood, where he, with Lambert, Desborough, and other army chiefs, sat brooding over the memory of their ascendancy and plotting to regain it. They demanded in effect that Richard should give up to them the command of the army; in other words, supreme power. The irreconcilable republicans, madly bent on overturning the Protectorate, leagued themselves with the malcontent soldiers.

Richard, though at first he showed a sense of his right and duty as the head of the state, wanted firmness for steady resistance, and weakly allowed a convention of the army to be called. Between that convention and the parliament a collision ensued. The army chiefs turned out the parliament by force and deposed the Protector, who, conscious of his own unfitness for command, was ready enough to retire, with a moderate provision, into private life. To throw a decent veil over the government of the sword, the army chiefs recalled the Rump, which went to work as if all that had occurred since Pride's Purge had been a blank. When the Rump tried to control them, they turned it out again. Then, feeling that they could not dispense with some show of civil government, they recalled it once more.

There ensued a wild scene of dissolution and distraction, while political speculation was running crazy in Harrington's "Rota" Club, and Milton, agonized by the imminent

ruin of all his hopes, conjured the members of the Rump frankly to assume the character of a permanent government, which, in fact, from his point of view, was the best thing to be done. The weakness of the parliament throughout had been its want of permanent character as a government. It appeared always as a representative assembly which had lost its elective base and feared to go to its constituents.

General Monck was still commanding the army of occupation in Scotland, where he had continued to carry out the Protector's policy well. He was a man with no theory, probably not with much principle; shrewd and silent; ready to serve any paymaster, but loyal to the paymaster whom he served. Of his loyalty to the Protectorate there was no doubt. He had given Richard wise counsel, advising him to make friends of the moderate party and reduce the army by throwing two regiments into one, getting rid by the way of dangerous spirits among the officers, who, he assured him, when cashiered, would be powerless. He had kept himself close, watched the progress of anarchy, opened communication with Fairfax, and weeded his own army of all upon whom he could not rely. When anarchy reached its height he moved on London. There he went through a singular course of what is commonly deemed dissimulation and deceit, but may have been only wavering. He for some time bore himself as the loyal servant of the Rump, going so far as to dismantle, in obedience to its command, the street defences of Presbyterian and now royalist London. Suddenly he turned round and, amidst the wildest enthusiasm of the city, declared for a free parliament. To declare for a free parliament was to declare for a parliament in which,

though Cavaliers could not sit, men elected under their influence might, in which royalist Presbyterians would predominate, and which would certainly recall the king, a general stampede to whom at once set in.

1660 Recalled at once by the Convention Parliament with every appearance of national enthusiasm the king was. From Dover to London Charles moved through a living avenue of jubilation. It was a reaction, not against the Protectorate of Oliver, or even that of Richard, but against the military anarchy which had followed; yet in these shouts of welcome there was much of genuine attachment to monarchy. One sign of this was that touching for the king's evil began again on a large scale. Such was the concourse of dupes that some were crushed to death. If any one was healed by the hand of Mrs. Palmer's lover, the power of working miracles must have been strictly attached to the office.

There was the army of the Commonwealth still strong enough, if it chose, to put the veto of its sword on the Restoration. Would it quietly allow everything for which it had fought and bled to go by the board? By long service the soldier had probably been made more professional and less political; he had shown indifference, if Evelyn speaks the truth, at Cromwell's funeral. Monck, too, had been weeding out dangerous elements. But an army, though with a chief irresistible, cannot act without a chief, and this army now had none. So Cromwell's veterans took their arrears of pay and went back to their homesteads or workshops, showing themselves thereafter to have been Ironsides only by their superior industry and worth. "No other prince in Europe," said Chancellor Hyde, on the occasion, "would be willing to disband such



an army, an army to which victory is entailed, and which, humanly speaking, could hardly fail of conquest whithersoever he should lead it ; an army whose order and discipline, whose sobriety and manners, whose courage and success hath made it famous over the world." This, from Hyde's lips, is at least the language of genuine fear. These men, though they dispersed so peacefully, must have hung their swords over their hearths, and could hardly have forgotten Marston, Naseby, and Worcester. What did they think and say when the corpse of their old chief was gibbeted at Tyburn, when their old officers were being hanged and quartered for treason, when vindictive prelacy was persecuting their religion and crowding the prisons with the preachers on whose lips they had hung?

This was the end of Puritanism, or of so much of it as was mortal, in England. It could not fail, like other great moral movements, to leave traces on national character, but in its distinct and original form it quits the scene. In England it lay vanquished by the traditional forces, which, though by the preternatural energy concentrated in a resolute minority and a powerful chief it had for a time thrust them aside, closed upon it and overpowered it in the end. But on the eve of the conflict in England it had placed itself beyond the chances of war. A company of peasants persecuted by Laud and seeking an asylum for their faith and worship had, after undergoing with heroic constancy much suffering and discouragement, founded a little Commonwealth on the other side of the Atlantic. Afterwards a larger emigration, drawn from a higher class and led by a landed gentleman, had founded, by the side of the original colony, one more properly called Puritan,

the original colony having been really Independent. To this Sir Henry Vane and other leading spirits of the Puritan party, groaning under the tyranny of Charles and Laud, had been drawn or turned their thoughts, when the revolution, breaking out in England, gave them work enough and hope at home. The founders of a republic on the bleak and lonely shore of Massachusetts had not to contend with a superstitious reverence for monarchy, a deeply rooted aristocracy, or a powerful prelacy; their drawback was the religious narrowness contracted in the English struggle which led them to confine their commonwealth to a sect, and even presently to become persecutors in their turn. Though in the end Puritanism was fated here also to die, the republic lived, not without traces of the Puritan character, some of which are discernible perhaps even at the present day. In New England there was no Restoration. There, in the day of Cavalier vengeance, the hunted regicide found shelter and has left his memory in the Judge's Cave. The statue of Cromwell, rejected at Westminster, might, if the Irish vote were not in the way, be fitly set up at Washington.

END OF VOLUME I

# THE UNITED KINGDOM

## A POLITICAL HISTORY

BY

GOLDWIN SMITH, D.C.L.

AUTHOR OF "THE UNITED STATES," ETC., ETC.

*The best form of government is that which doth actuate  
and inspire every part and member of a state to the  
common good.—PYM.*

*Two Volumes in One*

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THE UNITED KINGDOM

A POLITICAL HISTORY

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BY JOHN EDGAR BURNETT

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## CHAPTER I

### CHARLES II

BORN 1630; RESTORED 1660; DIED 1685.

THE poet of Puritanism, at the beginning of the third book of "Paradise Lost," rejoices in his re-ascent from the obscure sojourn of the Stygian pool to the realms of heavenly light. From a realm comparatively of light we descend to the Stygian pool in passing from the Revolution to the Restoration. In the Revolutionary period, with all its violence, havoc, and suffering, we have at least been among great men, lofty aspirations, and heroic actions. In the succeeding period we are in the midst of all that is the reverse of great, lofty, or heroic. Such is the nemesis of revolution. Over-tension is followed by collapse; over-excitement by prostration of spirit; the wreck of chimerical hopes by loss of faith in rational effort.

Puritanism, aiming at an unattainable standard, had denied the multitude pleasure, not only evil pleasure, such as that of bear-baiting, cock-fighting, and tippling, but the innocent pleasures of the drama, the may-pole, the Sunday dance or archery, the Christmas feast of family love, such pleasure as is a moral necessity of human nature. The consequences, when the Puritan yoke was cast off and the recoil ensued, were the manners, the literature, and the drama of the Restoration.

Religion, associated with a gloomy repression, could not fail to become odious; associated with political power and pelf, it could not fail to become hypocritical; associated with crazy fanaticism and spiritual mania, it could not fail to incur contempt. The inevitable sequel to a tyranny of godliness was an outburst of ungodliness; the hypocrisy of piety was followed by an ostentation of profanity; and vice became not only a propensity but a fashion.

The political philosopher of this age, and the guide of some of its most active spirits, is Hobbes, who had once been Charles's tutor. Revolution and civil war had bred in Hobbes the belief that man is the natural enemy of man, every man by nature desiring to take everything for himself; and that nothing can limit desire and keep the peace in the human herd but absolute government, that of the great Leviathan, submission to which must be unbounded. Religion, which has been the cause of all the confusion and anarchy, must be regulated by the government, thought alone being left free. He who made religion a matter of state, not of conviction, must have been a practical atheist, whether he was a theoretical atheist or not. Hobbes's own conversation was profane. He was, however, a great intelligence as well as a writer of uncommon vigour, and he had a clear conception of a government.

The spirit of the triumphant party, with its hatred of high aspiration and austere morality, was embodied, to the delight of a merry monarch and his court, in the rhyme of "Hudibras," a clever, coarse, and dirty imitation of "Don Quixote"; while over the grave of Puritanism rose "Paradise Lost."

There could not have been a fitter king of his epoch than Charles II. He was a thorough man of pleasure, good-natured, affable, and witty, but careless, selfish, cynical, and heartless. He openly kept concubines, and owned a troop of bastards. "Your Majesty," said a flatterer to him, "is the father of your people." "Of a good many of them," was his reply, "I believe I am." When treating with him was suggested, Cromwell replied, "He is so damnably debauched that he would ruin us all." No mean section of British aristocracy owed its origin to Charles's seraglio. Perhaps he and the other royal libertines of these times, as it was their doom to marry ugly princesses for the purpose of begetting heirs, might be partly excused if they kept pretty mistresses for love. Charles had to marry a Portuguese princess who, he said, was like a bat; yet, if he had been a gentleman, as some pretend, he would not have forced his mistress on the society of his wife. He painted his own character as a king well when, being worried by the inquiries of parliament into his scandalous finance, he said that he did not wish to sit like the grand Turk bowstringing people, but that he objected to have a set of fellows prying into his affairs. The Tory Johnson pronounced him a very good king. In a certain sense he was; for had a respectable bigot and absolutist, attentive to business and loyal to the Anglican church, been in Charles's place, with the tide of loyalty running so high, he might have extinguished the liberties of England.

At his side Charles had his brother James, Duke of York, an active and aggressive, while Charles was a lazy, absolutist; an avowed, while Charles was a secret, convert to catholicism; a bigot, while Charles, if not at heart a



sceptic, was indifferent about religion. The chief minister of the crown during the first years of the reign was Hyde, Charles's political tutor, and made at his coronation Earl of Clarendon, the author of that picturesque and stately narrative classed by Hallam among histories to be read for the delight which they afford us by their literary beauty without reference to their truth. Clarendon has veiled the fact that he was a reformer in the first days of the Long Parliament, when he almost certainly voted for the attainder of Strafford. He was in the highest degree respectable, though not incapable of countenancing a plot for the assassination of a regicide Protector. His ideal was the rule of a monarch with a loyal and obedient parliament, as a necessary support of which he was bent on restoring the Anglican church and hierarchy to the plenitude of their wealth and privilege. Nor did he err in thinking that a clergy, richly endowed and dependent on the state, would, with ritualism and orthodoxy, be the bulwark of monarchical power. Hyde had a colleague in Southampton, a thoroughly upright and honourable gentleman, the most moderate of loyalists and a staunch upholder of indemnity. Ormonde, the Lord Lieutenant of Ireland, was another man of the same school. All three were men of a bygone, serious, religious, and, in the eyes of Restoration rakes and courtiers, antiquated generation. Southampton's influence was not enough felt. He seems to have been wanting in force, perhaps from the weakness of his health.

The time was propitious to absolutist designs. The monarchy of Louis XIV. was rising like the sun in its power and magnificence, and was holding forth to all kings an example of unrestricted rule, awakening within

them a sense of their divinity, and giving new life to the monarchical as well as to the catholic cause. The Stuart brothers, having long lived in France, and as refugees from a republic, were thoroughly imbued with the idea of French monarchy and prepared to look up to the French monarch as their cynosure and the patron of their interest.

The Convention Parliament, in restoring the king, had stipulated for a general indemnity, from which, however, the regicides were excepted. Ten of these at once, and 1660 three more, caught afterwards in Holland, suffered the penalties of treason in their most barbarous form, while a number of others were imprisoned for life or deprived of civil rights. These men had no doubt taken their lives in their hands. They had no warrant but their conviction and their cause. Confident in the goodness of those warrants, such as were put to death met their fate like martyrs. "Take notice," said Harrison, the valiant soldier and visionary of the Fifth Monarchy, "that for 1661 being instrumental in that cause and interest of the Son of God which hath been pleaded amongst us and which God hath witnessed to by appeals and wonderful victories, I am brought to this place to suffer death this day. And if I had ten thousand lives, I would freely and cheerfully lay down them all to witness to this matter. Again, I do not lay down my life by constraint, but willingly; for if I had been minded to have run away, I might have had many opportunities. But being so clear in the thing, I durst not turn my back nor step a foot out of the way, by reason I have been in the service of so glorious and great a God." His last words were characteristic of the Fifth Monarchy man militant: "He

hath covered my head many times in the day of battle. By God I have leaped over a wall; by God I have run through a troop; and by my God I will go through this death, and He will make it easy to me. Now into Thy hands, O Lord Jesus, I commit my spirit." So, not ignobly, passed away the dream of dominion founded on grace, which had been dreamed by Wycliffe three centuries before.

The gentle Evelyn missed the execution of some of the regicides, but "met their quarters mangled, and cut and reeking, as they were brought from the gallows in baskets on the hurdle." He piously ejaculates, "Oh, the stupendous and inscrutable judgments of God!" "The judgment of God was upon them, sir," said a Tory fop, speaking of the regicides to Quin, "the judgment of heaven was upon them; almost all of them came to violent ends." "So, my lord," replied Quin, "did almost all the apostles." The king was present at some of the executions.

1661 The bodies of Cromwell, Bradshaw, Ireton, and Pride were torn out of their graves, dragged to Tyburn, there hanged, and afterwards buried under the gallows, while their heads were set on the top of Westminster Hall. Ladies, we learn from Pepys, enjoyed the sight.

Much of this was the work of Presbyterians who predominated in the Convention Parliament, and had the king's assurance of favour to their sect. Prynne, with a cowl covering his head to hide the stumps of ears cropped by Stuart tyranny, was disgustingly forward in the hunt of vengeance. It is difficult to defend the participation of Manchester and others who, though they were not regicides, had met the king in battle. Axtell, who had commanded the guard at the king's execution,



might well say that he was no more guilty than Essex, than Fairfax, who had remained in command of the army, than Manchester, Monck, or any soldier who had fought against the king's person under the orders of the parliament.

The Convention Parliament, from which Cavaliers were still, by the Ordinances, excluded, and in which Presbyterians predominated, was succeeded by a parliament full of Cavaliers thirsting for unlimited vengeance. 1661  
The country gentlemen, many of whom had once been Puritans, had, since the reign of the sectaries, passed almost in a body to the royalist side, and were full not only of political and religious, but of social exasperation. This assembly would have made bloody work had not Clarendon and Southampton, to their honour, strenuously upheld indemnity. Clarendon tells us that an attempt was made in vain to find the body of Charles I. This story, as Hallam says, cannot be true, since it was known both to the attendants at the funeral and to workmen where the body had been laid. Perhaps Clarendon did not wish the body to be found, because its production and a performance of solemn obsequies might have excited beyond control the passions of the Cavaliers. Cromwell's soldiers, though disbanded, were still there. Vengeance, however, was further satiated by outrages on the dead. Upwards of twenty persons who had been buried in Westminster Abbey were dug up and thrown into St. Mary's churchyard; among them were the bodies of Pym, Admiral Blake, his gallant colleague Admiral Deane, May the poet and historian, Dr. Twisse the prolocutor of the Westminster Assembly, Cromwell's mother, his sister, and two other women. To this

1662 period also belongs the judicial murder of Vane. Vane was not a regicide. Nor was there anything except superior ability and loftiness of spirit to distinguish his case from that of his fellows in the Council of State. His great crime in Cavalier eyes probably was his production of fatal evidence against Strafford. His execution was a dastardly murder. His lofty bearing at his trial had excited the craven fears of Charles, who was personally responsible for the execution after having pledged his word that Vane's life should be spared. The judicial murder of Argyle in Scotland was, if possible, still more 1661 infamous, as was also that of Guthrie, who seems to have 1661 been put to death simply as the most prominent Presbyterian, to strike terror into his sect. Charles had leaned on Argyle's support when he set up his banner in Scotland as a Covenanting king, and in subsequently accepting the Protectorate. Argyle had done no more than Monck and many others who enjoyed impunity or were even taken into favour. Monck had the baseness, when evidence was wanting against Argyle, to produce private letters showing that the marquis had been hearty and zealous on the side of the usurpation of which Monck himself had been the vicegerent. The marquis showed in his death the difference between physical and moral courage. He looked calmly on the axe, though he had never been able to look upon the sword. How Milton, the great defender, if not the instigator, of regicide, escaped is a mystery. He must have had powerful and adroit friends. Well he might say that he was "with darkness and with dangers compassed round." The Solemn League and Covenant, the symbol of Presbyterian rebellion, was burned by the public hangman.

The Commonwealth perished, but with it by no means perished all the political fruits of the Revolution. The engines of the first Charles's arbitrary government which the Long Parliament had swept away, the star chamber, the court of high commission, the council of the north, the stannaries court, were not restored. The privy council no more dared to usurp the legislative powers of parliament. Ship money was not revived. There were to be no more benevolences or forced loans; nor were taxes to be imposed without a vote of the representatives of the nation. What the government hereafter did in the way of irregular exaction it had to do by fraud or sufferance, not by an exertion of the prerogative.

The personal government of Charles I. had been supported partly by exaction of feudal dues of the crown, its wardships, and its compositions for knighthood. In the war with Scotland it had called out its military tenants in feudal array. All this, suspended by the Revolution, was now formally abolished. The lands before held in military tenure were henceforth to be held in free soccage. The vexatious court of wards was never to vex more. The not less vexatious privilege of purveyance was resigned. Thus the nation finally took leave of feudalism and the middle age, while the king lost, with his feudal over-lordship, something of his dignity and power. To indemnify him for the surrender of his feudal revenues and perquisites he received an hereditary excise. A land-lord-parliament thus made the nation pay for a boon which was confined to a class. The Act which did away with the service of the lord of the manor to the crown confirmed the services of the copy-holder to the lord of the manor. Nearly at the same time the old feudal sys-



tem of subsidies, which had been imperfectly and unfairly levied, was changed for that of regular assessments, the fiscal system of the Commonwealth.

1664 The Triennial Act requiring the crown to call a parliament not less than once in three years, and providing remedies against the crown in case of its default, was repealed as being, what it unquestionably was, an infringement of the constitutional right of the king to call and dissolve parliaments. But in the repealing Act words were inserted affirming the principle of triennial parliaments which showed that the House of Commons, however, in its Cavalier mood, it might be disposed extravagantly to exalt the crown, was not disposed to part with its own power. In truth, after a few years, when the factitious haze of Restoration sentiment had been cleared away, it appeared that, instead of having been effaced, parliament had really been the winner in the long struggle, and that in it had vested the sovereign power. Henceforth, if the crown forms sinister designs, instead of setting the representatives of the nation at defiance, it will have to resort to packing and corruption; nor, pack and corrupt as it may, will it induce parliament, however devoid of public principle, by parting with power, to ruin the market for votes; opposition is necessary to extort the bribe. There was, however, no limit to the duration of parliaments, so that the king could keep a subservient parliament sitting as long as he pleased. The Cavalier parliament of Charles sat for eighteen years.

1661 The command of the military force was given back to the king, to whom both constitutionally and as a necessary adjunct of the executive it belonged, dangerous to

freedom in his hands as it might be and as, in the next reign, it proved. Charles and his more absolutist brother had marked the support which was given to despotism by a standing army in France and had laid that lesson to heart. When the Commonwealth army was disbanded, three regiments, under the name of guards, were kept on foot, and the number was afterwards raised to about five thousand. The national safeguard was the necessity of parliamentary supplies to maintain the army. But by one stroke of the sword in the king's hand that safeguard might be annulled for ever.

A dangerous step was taken towards making the king independent of parliament by granting him a revenue for life of one million two hundred thousand pounds, made up of the port duties added to his hereditary excise. His extravagance proved an antidote to the unguarded liberality of the Commons. The mistresses and sycophants wrought for constitutional liberty in their way.

The fangs of the treason law were sharpened, and it was made not only capital to conspire for the king's death or deposition, but punishable to affirm him to be a papist or a heretic, to write or speak against the established government, to maintain the legality of the Long Parliament, or to assert a legislative power in either or both houses of parliament without the king.

The doctrine of non-resistance, pronouncing it treason to take up arms against the king on any pretence whatever, was ominously embodied in a statute. But to make the doctrine, thus affirmed in the abstract, practically effective, it would have been necessary to change the spirit of the nation.

At the gorgeous coronation of Charles the religion of

etiquette was fully revived, though with innovation derived from the customs of the court of France, "whereof," says Clarendon, "the king and the duke had too much the image in their heads and than which there could not be a copy more universally ingrateful and odious to the English nation."

With the highest of all liberties, and that which is the salt of all, it fared for a time worst. But few, except the author of "Areopagitica," clearly saw the value of liberty of opinion. The press laws of the Commonwealth had been only occasional; they were the defensive measures of a government struggling for its life. The press law of the Cavalier parliament was an application of the paternal policy. The censorship of the press was appropriately conferred on L'Estrange, a royalist spy and conspirator, who had signalized his loyalty by an attack on Milton. This man was made inquisitor-general, not only for publications, but for the whole trade. His paper, published twice a week, was henceforth the whole newspaper press. Not only with freedom of the pen, but at a later period with freedom of the tongue, government sought to interfere. Coffee, now introduced, began to play a part in politics. Coffee-houses became resorts and centres of political gossip. These the government closed by proclamation; but, like other arbitrary governments, it found that it was more dangerous to aggress on the social pleasures of the people than on their rights, and the proclamation was withdrawn. In all our judgments on the conduct of the people at this time we must make allowance for the absence of a newspaper press, for the want of political information, and for the restraints upon liberty of discussion. Of this caution we shall soon have



need. The want of a free press in England was to some extent compensated by the freedom of the press in Holland and the printing of English works there. As the reign went on, and political parties were developed, each party wanting to use the polemical pen, the press practically shook itself free.

The final triumph of the French Revolution over the old régime was assured by the new landed interest which it had called into being, and whose tenure was bound up with its cause. In England a good deal of the land of the ruined Malignants had found its way by purchase into new hands, in which, under the Indemnity Act, it remained, while its former owners, who had hoped to recover it, loudly accused the ingratitude of the Restoration, and complained that the Act of Indemnity and Oblivion was an Act of Indemnity for the king's enemies and of Oblivion for his friends. But the amount was not enough to anchor the Revolution. Confiscated estates reverted at once to the owners. On the broad lands of the church, which the Commonwealth had sold, and for which buyers had given fifteen years' purchase, showing thereby their trust in the stability of republican government, the bishops and chapters were enabled, by Hyde's policy, to re-enter without compensating the new owners. The leases having run out, the restored incumbents came in for a windfall of wealth in the shape of fines, to which Burnet partly ascribes the reign of clerical corruption which ensued. To the purchasers of crown lands some mercy appears to have been shown by the crown. 1660

On the whole, therefore, much was left of the political gains of the Revolution; while nothing could expel from the veins of the nation the new life which had been

infused into them by the struggle for civil and religious liberty, the grandeur of the united Commonwealth and the glories of the Protectorate.

So much as regarded the state. The consequences of a union of church and state, and of making religion a matter of government, were to be exemplified in the Restoration on the largest scale. The nation had perhaps not been ripe for the exodus from monarchy and aristocracy. For an exodus from prelacy it was ripe. It was, at all events, prepared for an ecclesiastical polity which would have reduced the bishop from the position of a lord to that of an officer in the church, associating with him a council of Presbyters in each diocese. Such was, in effect, Bishop Usher's scheme, and with it the English Presbyterians would at this time have been generally content. Cromwell's scheme of Comprehension seems also to have met with national acceptance. When the bishops in their pontificals first assembled in Westminster Abbey, the entry in Pepys's "Diary" is, "Lord, at their going out, how people did most of them look upon them as strange creatures, and few with any kind of love or respect!" For a scheme of limited episcopacy, with an inclusion of the Presbyterians, the Covenanted king had distinctly declared, no doubt with the approval of his mentor Hyde, when he was wooing the Presbyterian Convention; and as an earnest of his sincerity he had made Presbyterians his chaplains and offered bishoprics to Baxter, Calamy, and Reynolds. When he had won, his declaration was given to the winds, and legislation on its lines was defeated evidently by his own underhand influence and that of Hyde. About belief he cared little, but Presbyterianism, he was wont to

say, was not a religion for a gentleman. The great fact had also dawned upon his mind that episcopacy was the religion for a king. At a conference between the bishops and the leading Presbyterians, held at the Savoy Palace, 1661 it plainly appeared that the bishops, with the king at their back, were resolved against any concession. Clarendon, who on this question was all-powerful, was bent on restoring the entire Anglican system, and reinstating the bishops as much as possible in their former power. He was seconded by the Cavaliers of the parliament, who with reason identified the religion of the Puritan with his politics, and with the source of their own sufferings and humiliations. The Act of Uniformity gave a death-blow 1662 at once to Presbyterianism, to Comprehension, and to protestant connection. It enacted that every parson, vicar, or other minister whosoever, should, upon some Lord's Day before the feast of St. Bartholomew, read the service according to the Book of Common Prayer, and afterwards declare his unfeigned assent and consent to all and everything contained and prescribed in that book. It further enacted that all clergymen, all heads and fellows of colleges, all university professors and lecturers, all schoolmasters and private tutors in families should, before the same feast, subscribe the doctrine of passive obedience and take oaths of conformity to the liturgy and of renunciation of the Covenant. On the black day of St. Bartholomew a number of clergymen, reckoned at two thousand, among whom were probably the most 1662 zealous ministers of the Gospel in England, and the most acceptable to the people, rather than comply with the Act went forth out of their homes, many of them to penury, for in their case no indemnity beyond a few



months' stipend was given. The royalist clergy, ejected by the Puritans, had met with more mercy, and harsh as their treatment still was, in their case it might be truly alleged, while it could not be truly alleged in this case, that there was political danger to the government. Had not Charles I. said that if he could save the Anglican church, that church would give him back the sword? In face of the resignation of the two thousand, who shall say that Puritanism was mercenary or hollow? By the Act of Uniformity the line was finally drawn between the state church of England and the free churches. English Christianity was divided into two sections, the privileged and the excluded, the relations of which were those of legalized jealousy and hatred. Over the fall of the Presbyterians, considering the intolerance which they had shown, their blasphemy and heresy laws, and the general part which they had played, it is not easy to shed a tear.

Episcopal ordination had not hitherto been required. Foreigners ordained after the manner of the protestant churches of the continent had been admitted, however rarely, to benefices in the English church, and the communion of the church of England with the protestant churches of the continent, which carried with it a political connection, had been preserved. The Act of Uniformity, by requiring episcopal ordination, put an end to the connection, and consigned the church of England to the strange position of isolation between catholicism and protestantism, from which the high church party has in vain striven to extricate her by courting re-union, now with the Eastern church, now with the church of Rome. The Eastern church is hide-bound; Rome is infallible and can listen to nothing but submission.

Of Puritanism we hear no more. That mould nature breaks, as she had broken the mould of the Roman Stoic, of the Crusader, of the Huguenot, not without working something of each character into the abiding fibre of humanity. In its place came political Nonconformity, having its seat chiefly in the middle or lower middle classes; sober-hued, staid, and comparatively unambitious; lacking culture, since it was excluded from the universities, lacking social refinement, since it was out of the pale of high society; uncongenial, therefore, to apostles of sweetness and light; yet keeping the tradition of a sound morality, as we still acknowledge in speaking of the nonconformist conscience; not rebellious or revolutionary, but struggling from age to age by purely constitutional effort for the removal of its disabilities, and as an oppressed body fighting always on the side of freedom. Its annals are not poetic or picturesque; but England might have been an Anglican Spain, less the Inquisition, if the nonconformists had not been there.

The efforts of Hyde, his bishops, and his Cavalier parliament to re-instate the true church in power did not stop with the Act of Uniformity. The Corporation Act 1661 required all holders of municipal offices to renounce the Covenant, to take the oath of non-resistance, and to receive the sacrament according to the Anglican form; thus once more degrading the holiest rite of the church of England into a political test. The Conventicle Act forbade the meeting of more than five persons in addition to the members of a family for any religious service not in conformity with the church of England, under the penalty of a small fine and a short imprisonment for the first offence, a longer imprisonment and a heavier fine for the

second offence, and a fine of a hundred pounds, equivalent to several times the amount in money of our day, or transportation for seven years, on conviction of the third offence. The Act was to be construed in the sense most unfavourable to the conventicles, and magistrates, that is, Cavalier squires, were empowered to convict without a jury. The Five Mile Act enacted that no nonconformist ex-minister or teacher who had not taken the oath of passive obedience should come within five miles of any city or town corporate, or of any parish where he had formerly preached, under a penalty of forty pounds. It also enacted that no one who had not taken the oath of passive obedience and conformed, should teach any school or take pupils in his house. The objects of this Act were to cut off nonconformist ministers from the centres of population in which they would find friends, and from the calling of a teacher, on which almost alone they could fall back. This completes the "Clarendon code."

1665 The Five Mile Act followed close upon the great plague of London, in which a hundred thousand persons died. During the plague, some of the state clergy having fled from their cures, the pulpits were occupied by nonconformists. If this was in the minds of the framers of the Act, the infamy of the measure is enhanced.

The Acts were administered with cruel zeal by the local authorities; the squires, who were justices of the peace, having since the Revolution and the reign of the saints become bitter foes of nonconformity. Spies and informers of course were bred and actively plied their trade. The state church of England had no holocausts of heresy such as were celebrated on the Quemadero of Seville. But she had under Charles II. a mild and decent sub-



stitute for those "holy severities" in the imprisonment of a multitude of nonconformists, not a few of whom met their death in the filthy and noisome dungeons of that day. Among the sufferers under the general persecution, though he was committed before the Acts, was the author of the "Pilgrim's Progress." The Quakers averred in a petition that four hundred of their number were in the prisons of London and a thousand in those of the country. That sect had multiplied exceedingly, sweeping into itself most of the extreme and enthusiastic sects which had sprung up in the revolutionary era, while the meek and indomitable tenacity of the Quaker was in the highest degree provoking to the squire upon the bench. The refusal of the Quakers to take oaths had been the object of a special penal law, and their meetings for worship to the number of five or more were prohibited on pain of imprisonment with hard labour, and on the third conviction, of banishment to the plantations. 1662

No pretext had been afforded for persecuting legislation beyond a petty insurrection in London headed by Venner, a fanatical cooper, which was put down with the greatest ease, and a disturbance still more petty in Yorkshire, which seems to have been nursed for a sinister purpose by the government. There was, therefore, no valid excuse for the violation of Charles's promise, in his declaration from Breda, that there should be liberty to tender consciences and that no man should be disquieted or called in question for differences of opinion in matters of religion which did not disturb the peace of the kingdom. The Cromwellian soldiery had become quiet and industrious citizens noted only for their good character in their trades. 1661

The ecclesiastical leader of the persecution and the opponent in council of indulgence for the nonconformists was Gilbert Sheldon, Archbishop of Canterbury, who, if we may trust the evidence adduced by Pepys, himself represented not only the religious opinions but the social tastes of the time. Pepys gives an account of a parody on a Puritan sermon performed at Lambeth for his Grace's amusement. Sheldon had once been a member of the liberal circle of Falkland.

The motive of the persecutions was, however, not so much religious bigotry as political revenge or fear, at least so far as parliament and the politicians were concerned. The libertine king was too careless about religion, too careless about anything, as well as too good-natured, to take an active part in persecution. Among men of the world scepticism, sometimes after the fashion of Hobbes, was making way. Temple, the model man, thought religion "fit only for the mob." In this reign the writ *De Heretico Comburendo* was abolished. It is a redeeming feature of the period that men were ceasing to waste their intellectual powers on theological questions at once insoluble and barren, and were turning their thoughts to political studies, moral and mental philosophy, or natural science. The Royal Society now took a regular form, though its origin was earlier. Science and mathematics were the fashion. We see this in the "Diary" of Pepys. The king dabbled in chemistry. Prince Rupert found time amidst his sea fights and his debaucheries to study the same science and introduce Rupert's Drops. The age, if it was not more tolerant than that which preceded, was less theological, more secular, and in that respect a period of progress. In theology itself

there was a liberal movement, of which Cudworth and the Cambridge Platonists were the chiefs. These men drank liberalism at the fountain of Greek philosophy.

Nor, with the desire of re-instating the church whose safety henceforth became the watchword of the royalist party, was there combined a desire of exalting the clergy. It was at this time that the privilege of taxing itself in Convocation was definitely taken from the clerical order and settled in the House of Commons, in which clergymen were not allowed to sit, though the order was represented by the bishops in the House of Lords. The clergy, once a powerful estate of the realm, being thus fiscally and politically merged in the general community, ceased to be an estate of the realm at all. The church had her bright stars of learning, but the clergy as a body were low and in low esteem. 1662

Of all the achievements of the Council of State and the Protectorate the grandest had been the union of Scotland and Ireland with England. What a train of calamity was ended for Ireland by that union, what a vista of calamity to come would it have closed! The heir of the Protector, by omitting to call Scotch and Irish members to his parliament, had slighted his father's work. But that work was utterly and formally undone by the ignoble policy of the Restoration.

In Ireland, the great garrison of Cromwellian landowners was too strong and too firmly seated to be dispossessed. Had it been threatened with ejection it would have drawn the Cromwellian sword. It had in its favour the tremendous force of the English prejudice against the catholic natives, and the memory, ever fresh, of the great massacre, to which and to the advantage of possession, it



added the influence of bribery. Ejected catholics, some of whom had fought on the king's side, in vain besieged the throne with their clamorous demands for restitution. Something was conceded to them, at least to the more powerful of them, but in the main the Cromwellians kept the land. The unequal compromise was embodied in the 1662 Act of Settlement, to the Saxon and protestant proprietor a grand assurance of title, to the dispossessed Celt a sentence of disinheritance, which he passionately desired, and at the first opportunity madly strove to reverse. The 1661 parliament of Ireland met once more at Dublin. The protestants having kept their lands, it was necessarily a parliament of protestant ascendancy. The Cromwellian settlement remained, but without Cromwell, and without the broad ægis of the united Commonwealth to cover and gradually reconcile two races and religions. To fill the caldron of future discord and misery to the brim came 1661 back the Anglican episcopacy under Bramhall, an old ecclesiastical myrmidon of the government of Charles I., with a religion alien and odious alike to the catholic and Presbyterian, with a church which was no church, but an intrusive establishment as oppressive as the yoke of a foreign invader. The Celts of Ireland were catholic by accident. A fervent and preaching protestantism might have succeeded as well with them as it did with the Celts of Wales or with those of the Scotch Highlands. That door of hope was shut by the intrusion of the state church of England.

In Scotland absolutism felt that it had a privy realm where it would not be curbed by the parliamentary institutions and the force of national sentiment by which it was still curbed in England. A long succession of civil

conflicts, devouring party after party, English invasion, repeated defeats, and the military dictatorship which ensued, had levelled the political ramparts and broken the high spirit of the Scottish nation. The aristocracy, by which the nation had been led in the early days of the Covenant, had been decimated or estranged from the people. The religious enthusiasm of many had been worn out or chilled, and power had departed from those assemblies of the Kirk which for a time had been the real parliament of the Covenanting nation. The parliament was turned into a mere tool of the government by the revival of the Lords of Articles, a committee which controlled all legislation and was nominated by the crown. Absolutism, civil and ecclesiastical, was now openly installed. Scotland relapsed into a satrapy; its administration fell by turns to Middleton and Lauderdale, scoundrels both; the first coarse and overbearing, the second crafty and intriguing. Lauderdale, once a Presbyterian, and still at heart no friend to bishops, did not scruple to bear his part in the intrusion of episcopacy into Scotland and the destruction of the Kirk. The reactionary fury of the Council was constantly inflamed by drink. "It was a mad, roaring time," says Burnet, "full of extravagance; and no wonder it was so when the men of affairs were almost perpetually drunk." Legislation was not reckless only, but mad. By the Act Rescissory a clean sweep was made at once of the whole Scotch statute book for the period of twenty-eight years during which the Presbyterian establishment had been on foot. Episcopacy was again forced upon the nation by which it was passionately hated. Presbyterians were excluded from parliament. The Covenanters who abounded most in the wild west

own life was vicious. They conceived the scheme, afterwards tried again by James as king, of an Indulgence which, intended nominally for the benefit of all nonconformists and alluring them all alike, should in the end inure to the benefit of the true and royal religion. It was by thwarting this policy, as a stiff and devout liegeman of the church of England, that Clarendon lost the king's favour and fell. But he had also fretted his royal master's character on its other side. The solemnity of his antiquated virtue was oppressive to Charles and to the new morality of the court and harem. Having been Charles's tutor in exile, he had not doffed the tutor. Killigrew, the court jester, set the circle in a roar by mimicking the chancellor's gait with a bellows held like the seals before him. By hot Cavaliers, Clarendon was hated as the upholder, to his honour, of the Indemnity Act; by selfish land-owners as the opponent of the Irish Cattle Act. To the people he became odious by mismanagement in war, by his part in the sale of Dunkirk, an acquisition to which national pride attached a fictitious value, by his suspected wealth, and, what was most cruel, by the notion that he furthered the papistical designs of the king. He was accused of marrying the king to a barren wife that his own daughter, the Duchess of York, might be queen. Even the great plague and the fire of London were laid to the charge of his government. His fashions, formed before the political deluge, were old; long an exile, he was somewhat of an alien in a changed England, and to win hearts he neither knew how nor cared. Amidst the jubilation of the harlots and the buffoons he was deprived of his great office. Our mild method of getting rid of a prime minister by a vote of want of confidence was still



unknown. Impeachment was the only mode. On pre-  
tences, of which that of arbitrary imprisonments alone  
was not hollow, Clarendon was impeached. By the evil, 1667  
perhaps treacherous, advice of the king, he withdrew him-  
self from trial and was banished for life. He had been  
the restorer of an intolerant prelacy, and if the bishops  
originated, he fathered, the code of persecution. But he  
had been comparatively inclined to moderation and the  
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own life was vicious. They conceived the scheme, afterwards tried again by James as king, of an Indulgence which, intended nominally for the benefit of all nonconformists and alluring them all alike, should in the end inure to the benefit of the true and royal religion. It was by thwarting this policy, as a stiff and devout liegeman of the church of England, that Clarendon lost the king's favour and fell. But he had also fretted his royal master's character on its other side. The solemnity of his antiquated virtue was oppressive to Charles and to the new morality of the court and harem. Having been Charles's tutor in exile, he had not doffed the tutor. Killigrew, the court jester, set the circle in a roar by mimicking the chancellor's gait with a bellows held like the seals before him. By hot Cavaliers, Clarendon was hated as the upholder, to his honour, of the Indemnity Act; by selfish land-owners as the opponent of the Irish Cattle Act. To the people he became odious by mismanagement in war, by his part in the sale of Dunkirk, an acquisition to which national pride attached a fictitious value, by his suspected wealth, and, what was most cruel, by the notion that he furthered the papistical designs of the king. He was accused of marrying the king to a barren wife that his own daughter, the Duchess of York, might be queen. Even the great plague and the fire of London were laid to the charge of his government. His fashions, formed before the political deluge, were old; long an exile, he was somewhat of an alien in a changed England, and to win hearts he neither knew how nor cared. Amidst the jubilation of the harlots and the buffoons he was deprived of his great office. Our mild method of getting rid of a prime minister by a vote of want of confidence was still

unknown. Impeachment was the only mode. On pretences, of which that of arbitrary imprisonments alone was not hollow, Clarendon was impeached. By the evil, perhaps treacherous, advice of the king, he withdrew himself from trial and was banished for life. He had been the restorer of an intolerant prelacy, and if the bishops originated, he fathered, the code of persecution. But he had been comparatively inclined to moderation and the upholder of indemnity, as well as by his character and manners a living rebuke to court vice and corruption. He had refused a bribe from France which his royal master advised him to accept. His friend Ormonde, who had been governing Ireland honourably and as well as evil conditions would permit, was presently ejected from office by the same faction. About this time his colleague, the lord treasurer Southampton, perhaps the worthiest of all the men of that time, died. With these three survivors of a nobler generation, integrity and even decency left the councils of the king. The spirit of the Restoration broke loose and henceforth reigns.

Power passed by this intrigue into the hands of the Cabal, a ministry so called because the initial letters of the names of its five members, Clifford, Arlington, Buckingham, Ashley, and Lauderdale, made up that word. It was an embryo cabinet though without a regular parliamentary basis, and to the cabinet the old constitutional privy council is gradually giving way. The privy council, consisting of fifty members, was too large for business, and an inner council became a necessity, especially for foreign affairs. Parliament had to be managed, and it could not be managed through a large body without union in itself. An inner and very confidential



council, moreover, was required for the special designs of the king and his brother.

Revolutions, strewn their course with wrecked hopes and broken oaths of allegiance, breed and bequeath political infidels, who, at the same time, are restlessly ambitious, of daring temper, and sagacious after their kind. Such products of the French Revolution were Fouché, Talleyrand, and the men of the Directory; and such a product of the English Revolution was Ashley Cooper, presently made Earl of Shaftesbury, the Achitophel of Dryden's glorious satire. Shaftesbury was a born leader of opposition. At college he led the opposition of the freshmen to the tyranny of the seniors, and of all the students to the authorities when they reduced the strength of the beer. At the outbreak of the Revolution he had joined the royalist camp. Thence, receiving some disgust, he had passed to that of the parliament, in which his zeal and ferocity were distinguished. He sat in the republican, then in the Cromwellian, Council of State; was a member of the Barebones Parliament; was probably one of those who urged Cromwell to accept the crown; then headed the opposition, first to Cromwell, and afterwards to his son. He struggled to re-instate the Rump; went over to Monck; took part in the Restoration; flew to meet the king at Canterbury; won not only his forgiveness, but his favour, and was taken into the privy council. Having solemnly declared that if the king should be brought back not a hair of anyone's head should be touched, he sat on the commission for the trial of the regicides. His scepticism and moral cynicism probably combined with his wit and his charm of manner to recommend him to the friendship of Charles, whom he treated with the utmost familiarity.

“Shaftesbury,” said the king, “you are the greatest rogue in my dominion.” “Of a subject, your Majesty,” replied Shaftesbury, “I believe I am.” A salient feature of Shaftesbury’s character was his restlessness. He was

A fiery soul, which, eating out its way,  
Fretted the pigmy body to decay,  
And o’er informed the tenement of clay.

Religious belief he had none. If he believed in anything it was astrology, one of those superstitions which fascinate in an eclipse of faith.

Buckingham was a brilliant, versatile, and witty rake, who touched Charles’s character partly on the same side as Shaftesbury,

And in the course of one revolving moon  
Was poet, fiddler, statesman, and buffoon.

He had been Charles’s tutor in morals, and his cynical companion and fellow-sufferer under Covenanting sermons and zealotry in Scotland. He seduced the Countess of Shrewsbury and killed the earl in a duel, the countess in the disguise of a page holding her lover’s horse while the duel was being fought. Lauderdale, with his ungainly figure, his shock of red hair, and his tongue too large for his mouth, was a shrewd Scotch jobber also of the cynical tribe. He had been a zealous Covenanter, he had represented the Kirk in the treaty of Uxbridge; he was now its Holophernes, trampling it out with dragoons and wild Highlanders, or torturing its confessors with the boot and the thumbscrew. These three men were the libertines and the free-thinkers of the cabinet. Clifford was a thorough-going Roman Catholic, violent and over-bearing, but comparatively honest.

Arlington seems also to have been a Roman Catholic at heart; he certainly died one; in politics he was an unscrupulous intriguer. In the two Roman Catholics who shared the king's inmost designs the Cabal had a cabal within itself.

Charles and James launched their measure of catholic propagandism in the disguise of toleration, having first, by a turn of the persecuting screw, prepared nonconformists to hail the proffered relief. A royal Declaration of Indulgence was put forth suspending the penal laws. But the brothers found, as did James when he tried it again, that they had demanded the one thing which a royalist parliament would not grant, and done the one thing which would make a Cavalier disloyal. Considering how weak the Roman Catholics were in England, to understand the intense fear and hatred of them we must take in the whole European situation, especially the menacing power of the propagandist bigot on the throne of France, as well as the indelible memories of Smithfield, the Armada, and the Gunpowder Plot. The House of Commons met the Declaration with a resolution denying the prerogative and affirming that the laws could be suspended only by Act of Parliament. Wisely and nobly on this, as on a later occasion, the nonconformists, ground down as they were by the Conventicle Act and the Five Miles Act, refused to embrace the Declaration of Indulgence, seeing that it put the king above the law, and divining that though general liberty of conscience might be the beginning, Roman Catholic ascendancy would be the end. Only the Quakers, as political quietists, regardless of everything but their souls, were ready on this as on the later occasion to accept the sinister boon. A glance at Scotland might



have told nonconformists what towards them were the real intentions of the crown. After some sparring between the king and the Commons, the Declaration was withdrawn, and the prerogative of dispensation was renounced. But the honeymoon of the Restoration was over, and an uneasy wedlock of king and parliament ensued. Not content with its constitutional victory, parliament proceeded to strike a fell blow against the Duke of York and the Roman Catholic church by passing the Test Act, disqualifying for office, civil or military, anyone who had not taken the oaths of Allegiance and Supremacy, received the sacrament according to the usage of the church of England, and renounced the doctrine of transubstantiation. To this no subtlety of interpretation could reconcile the conscience of a Roman Catholic. James resigned the office of high admiral, and Clifford left the government. The protestant nonconformists seem to have acquiesced in the Act; rather than that popery should escape they were willing to see the sword thrust through themselves. With a Roman Catholic king in power unfettered by the laws, the fate of the Huguenots would assuredly in the end have been theirs.

Parliament might suspect, but it did not know, as we do, that Charles had sold himself and his country to the arch-enemy of protestantism and freedom. By the secret Treaty of Dover he had engaged, on payment of a large sum of money to him by the king of France, to join Louis in making war upon the Dutch, to furnish a contingent of English troops for the invasion of Holland, and to assist Louis in his designs upon the inheritance of the kingdom of Spain. He had further engaged, in consideration of an annual pension, at the first convenient opportunity, to

declare himself a Roman Catholic, and in case of resistance on the part of the English people had covenanted for the assistance of French troops, which were to be conveyed in his own vessels for the invasion of England. The first part of the treaty had been made known to the whole Cabal; the second part to the Roman Catholic section only. Much apparently overstrained mistrust of the court, much apparently misplaced fear and hatred of popery, must be forgiven to a people who were thus betrayed. To bind Charles by his lusts as well as by his interests, a French harlot, Madame De K eroualle, was sent by Louis into Charles's harem.

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Already England had been again drawn into war with the Dutch by commercial rivalry, collisions of trading companies in the far east, and the preposterous claim of England for the supremacy of her flag in the narrow seas, combined with the hatred of the court for the Dutch republicans and with the insidious machinations of the French king. A series of battles, fought with the same stubborn valour on both sides, had once more wasted in mutual destruction the forces of the two free and protestant nations, while the common enemy looked on with joy. Victories had been won by England under Montague, the old admiral of the Commonwealth, Monck, and Prince Rupert, who, according to the usage of the times, commanded by sea as well as by land. But the war was mismanaged, the admiralty like everything else was corrupt, and England saw a Dutch admiral sweep the Channel, come up the Thames, bombard Sheerness, and burn men-of-war in the Medway. It was believed that on that day of national disgrace the king supped with the ladies of the harem and the party amused

themselves by chasing a moth about the room. The thoughts of the people, Pepys tells us, turned to Cromwell.

For a moment the English government was reclaimed from its evil way and drawn to the right course by Temple, a patriotic diplomatist, who induced it to enter into what was called the Triple Alliance, a league of 1668 England and Holland with Sweden, which from the victories of Gustavus and his military heirs retained a high position in Europe, for the purpose of checking French aggrandizement. That this was the personal work of Temple, feeling himself seconded by national opinion, in concert with the Dutch statesman and patriot De Witt, soon appeared by the coldness with which its author was treated by his own government. Once more, in pursuance of the Treaty of Dover, the waters were dyed with protestant blood and strewn with the wreck 1672 of two navies which ought to have been united in defence of the same imperilled cause; while six thousand soldiers, led by the king's bastard son, the young Duke of Monmouth, under the French standard invaded Holland, 1672 which despair saved from conquest by cutting the dykes. English valour and seamanship were again suicidally displayed. They were displayed in spite of maladministration, corruption, abuse of patronage, sale of appointments, which reigned in the navy as in every other department of the state. War was commenced on the part of Eng- 1672 land, before the declaration, by a piratical attack on the Dutch Smyrna fleet. To provide funds the government, closing the exchequer and suspending payment, laid its hands upon the money of its creditors to the amount of 1672 one million three hundred thousand pounds. Ruin of



goldsmiths who acted as bankers, distress of depositors and wreck of public credit ensued.

Rottenness was everywhere. An Irish desperado named Blood, who had been outlawed for an attempt to surprise the castle at Dublin, set, with a gang of banditti, upon the Duke of Ormonde in the streets of London, and nearly succeeded in hanging him. The same brigand attempted to carry off the regalia from the Tower, after wounding the keeper, but was overtaken and secured. Charles attended the examination of the prisoner, forgave his crime, obtained for him a pardon from Ormonde, kept him as a gentleman at court, and gave him an estate of five hundred pounds a year in Ireland to compensate him for one he had forfeited when outlawed there. Vice reigned at Whitehall and, for an allusion to it in parliament, Sir John Coventry's nose was slit by the bravoës of the court.

Shaftesbury, being an enemy to catholicism, if he was not a believer in protestantism, and seeing that the wind now sat in the protestant quarter, had opposed the ecclesiastical policy of the royal brothers, supported the Test Act, and advised the banishment of the Duke of York. His attitude, with the proscription of Clifford by the Test Act, broke up the Cabal, and, with the levity of intriguers of that day, of whom he was the paragon, he at once passed into violent opposition.

To the Cabal succeeded the ministry of Danby, whose general policy seems to have been much the same as that of Clarendon, a strong monarchy supported by a strong state church. He appealed to the old cavalier spirit, and restored the statue of Charles I. at Charing Cross. He was unscrupulous enough to be a party to his

master's acceptance of another bribe from the French king. Yet he had an English heart, and was opposed to the aggrandizement of France. He made peace with Holland, employing Temple as his plenipotentiary for that purpose. He did more. He married Mary, daughter of the Duke of York, and in the succession to the crown, to William, the young Prince of Orange, rendering thereby, as it turned out, an immense service to the country. The king might approve the match as a sop to protestantism; the duke, hated and in jeopardy as he was, might fear to oppose it. The Orange connection, however, was the policy of the Stuarts in opposition to the connection with the republican or Louvestein party dominant at Amsterdam, which was the policy of Cromwell. In his combination of royalism and anglicanism with high protestantism and nationality, Danby foreshadows the Tory of a much later day. He was a master of parliamentary management, and, what was the same thing in that posture of affairs, of parliamentary corruption. The parliament having sat for sixteen years without re-election, members had lost their sense of responsibility to their constituents; they were tainted by the general depravity of the times, and were commonly open to bribery. Danby may claim the honour of having first organized the system. Andrew Marvell has the credit of having, though poor, resisted all temptation. There is a story of a visit paid him by Danby, who found him at his desk up two pairs of stairs in a little court in the Strand, and offered him preferment in the king's service, but in vain. One version of the story makes Marvell, in Danby's presence, call for his servant, and say to him, "What had I for dinner yes- 1676  
1674  
1677

terday?" "A shoulder of mutton." "And what have you for me to-day?" "The remainder hashed." Then Marvell turns to Danby and adds, "To-morrow I shall have the sweet blade-bone broiled." Danby, hopeless of corrupting virtue so impracticable, retires. Marvell was a relic of the Commonwealth and the author of the magnificent Ode on its chief.

An opposition called the country party had been formed with Shaftesbury, Holles, and Essex for leaders in the Lords, with Russell, Algernon Sidney, Hampden, Capel, and Coventry for leaders in the Commons, and animated by the reviving spirit of the Commonwealth. This opposition attacked the government at all points, especially wherever it could play on the public feeling against popery. It carried an Act disabling for the first time catholic peers for sitting in the House of Lords, from the operation of which the Duke of York was exempted only by a majority of two. It assailed Buckingham; it assailed Lauderdale, who was suspected of forming an army for sinister purposes in Scotland as Strafford had done in Ireland. It overthrew Danby's government and impeached him for privity as a minister to the corrupt intrigue of the court with France, though while privy to the intrigue he had been strongly opposed to French connection, had checked its influence by the Orange marriage, and was, in fact, betrayed for his patriotism by the French. It protested against financial extravagance, against parliamentary corruption, against standing armies, against Monmouth's auxiliary force. It demanded a dissolution of the parliament, which, having now sat for seventeen years, could no longer, it contended, be said truly to represent the nation. It did not fail to



ply the usual arts and wield the usual weapons of faction, embarrassing as much as it could the administration which it denounced, and pandering to passion by reckless imputation. It clamoured for war with France yet withheld the requisite means. Some of its members were even misguided enough to intrigue with the French king, and, it appears, actually to accept money from Barillon, the ambassador of Louis, and the agent of his master's villainous game. The French king hated republicans and protestants, but his paramount object was to keep England weak and subservient. For this he was ready to intrigue and bribe all round. It is charitable to presume that if money was taken by opposition leaders it was for the purposes of their party, not for their own. But public morality on this subject was very lax.

In dealing with the question of war with France the parliamentary leaders were distracted between their fear of the French king's ambition and their fear of a standing army such as that by which his despotism was supported. The king and the Duke of York, on the other hand, looking to the same example, were always for keeping a standing army on foot. The duke's design in this policy was unveiled when he came to reign.

In the House of Lords, where the government was still sure of a majority, Danby had brought in a Bill imposing upon all members of parliament, privy councillors, magistrates, and others holding office under the crown, a test oath of non-resistance. The Bill required all who came under it not only to declare that it was unlawful under any pretence whatever to take up arms against the king, and that it was traitorous to take up arms, as the Roundheads had professed to do, by his authority against his person,

but to swear that they would not endeavour the alteration of the government either in church or state. The Bill was evidently a blow aimed by Danby at the reviving spirit of republicanism in the Commons; while it appealed to the national fear of a renewal of the civil war. A fierce debate ensued. Charles, in accordance, as he said, with ancient custom, came in person to the House of Lords, hung about the fireplace, and in his winning way talked members into voting for the Bill. By the Lords the Bill was passed, though with its stringency reduced; and with the aid of Danby's arts and appliances it might have made its way through the Commons had not a quarrel between the two Houses brought  
1675 on a prorogation. It appeared, however, that the doctrine of non-resistance had lost ground.

The period of storm and confusion was not unfruitful of constitutional improvement. The principle of appropriating supplies was affirmed in the case of supplies granted for war. In Danby's case it was asserted that a royal pardon could not be pleaded in bar of impeachment, and that an impeachment did not determine with the sitting of the parliament. By the impeachment or arraignment of ministers, though sometimes factious, the control of parliament over the executive was confirmed.  
1679 Better than all was the Habeas Corpus Act, passed after a stubborn opposition by the Lords, which secured personal liberty against illegal imprisonment by sweeping away all impediments hitherto raised by judicial or official trickery to the issue of the writ, and rendering its operation sure. Of this the credit belongs to Shaftesbury, whatever his motive may have been. Superior in importance to any legislation was the lapse, by the expiration

of its term, of the Licensing Act, which, as the temper of the new parliament forbade re-enactment, tacitly put an end for a time to the censorship and gave freedom to the press. But that freedom was curtailed by the power of the government to prosecute for libel.

After sitting eighteen years the parliament was dissolved. Its successor, elected in a crisis of national discontent, could not fail to be hostile to the court. The boroughs and the small free-holders prevailed. In Danby's place came Sunderland and Halifax. Sunderland was a first-rate courtier and intriguer. Halifax was a man of a very different stamp, a philosophic statesman, an excellent political writer, broad in his views, with a mind only too well balanced, since it could never incline to decisive action. Courage was wanting to him, while from passion and prejudice he was free. Of revealed religion he "believed as much as he could." Government, however, was in convulsions. Sir William Temple, the Solon of the age, the author of the Triple Alliance, was called in to prescribe for the sick state. His prescription was a return from the unconstitutional Cabal to the constitutional privy council. He proposed to substitute for a privy council of fifty members, one of thirty, without an inner ring, made up half of ministers of the crown, half of popular members of parliament selected by the crown, with a proviso that the aggregate income of the councillors should not be less than three hundred thousand pounds, about three-fourths of the computed income of the Commons. This body, its projector probably thought, would not be too unwieldy for administration, would exclude cabal, would stand between the crown and the raging parliament, would absorb oppo-



sition by giving a share in the government to its leaders, and perhaps would relieve the popular assembly, the tempestuous character of which must have been little congenial to a diplomatist, of the initiative of legislation. But diplomacy seldom makes parliamentary statesmen.

1679 The experiment at once failed. Not only was the council still too large for business, but the elements of which it was made up were too alien to each other for common action. The oil of office would not mingle with the vinegar of opposition. Charles, who hated no enemy so much as trouble, had made Shaftesbury president of the council to keep him quiet. The great agitator was now at liberty to ride the storm once more.

The storm which he did ride and which was chiefly of his own raising forms one of the blackest episodes in English history. The air was full of a panic fear of catholic plots, for which the intrigues of Louis XIV., suspected probably by the nation, and more than suspected by Shaftesbury, together with the restless activity of the Jesuits, afforded at least some ground; though fear must have been highly intensified by hatred when it could be believed, and inscribed on a public monument, that the great fire which had ravaged London was the work of the papists. The Duke of York had now publicly avowed his conversion; Coleman, his secretary, was indiscreet, writing of "a mighty work in hand, no less than the conversion of three kingdoms and thereby the utter subduing of a pestilent heresy which had long domineered over the northern world." By the opposition in parliament the feeling against the duke and against the catholics had been worked up for a political purpose. A mine of protestant suspicion was fully

charged when upon it fell as a spark the mysterious murder, for murder it assuredly was, of Sir Edmund Berry Godfrey, a London magistrate who had taken depositions against the catholics, though in general he had rather been their friend. Of all vile informers in the pillory of history, the highest stand Titus Oates and Bedloe, men of infamous character and lives, who, with stories of catholic plots for the assassination of the king, the invasion of the kingdom, and the massacre of all protestants, monstrous as a maniac's dream, swore away the lives of a long train of Roman Catholics ending with the aged Lord Stafford and the blameless Archbishop Plunket. For a time mere frenzy reigned; its phantoms took the place of judicial evidence; while terrorism silenced all witnesses to the truth. No sane man would have believed such tales told by such wretches. But sanity is lost in multitude. Credulity was not startled even when an informer deposed that he had been in the palace and heard the queen assent to the assassination of the king. People lashed themselves into the belief that the capital, and the lives of all the protestants in it, were in imminent peril; took arms against the creations of their own disordered fancy; went about with small flails loaded with lead and called "Protestant Flails," for their protection against the catholic assassin. The Popish Plot ranks with the terrible illusions bred at Athens by the mutilation of the Hermæ, and in New England by the alarm of witchcraft. In all such cases probably the frenzy would be allayed by a free and active press. Whatever blame attaches to the English people for this murderous panic attaches in a higher degree to the judges, such as Scroggs and North, who turned the courts of justice

into dens of judicial murder, and to members of parliament, Shaftesbury above all, who for a political purpose fanned the raging flame. From political cowardice probably, rather than from fanaticism, the Lords countenanced the frenzy of the deluded people. Their House brought upon its records an indelible stain by allowing itself to be made the judicial instrument for the piteous immolation of Lord Stafford. It appears to have been actuated by selfish fear of the unpopularity which it was in danger of incurring by its rejection of a Bill for the exclusion of the Duke of York from succession to the crown. Not the least odious, however, was the conduct of Charles, who, too cool-headed and sensible to believe in the plots, signed the death-warrants because he did not want to go again upon his travels. Nor must Louis XIV. and the Jesuits escape their share of responsibility. That they were actively plotting for the extermination of protestantism was no fiction of Oates or Dangerfield, but a most certain and deadly fact. By his intrigues the Jesuit had presented Roman Catholicism as capable of anything, and by his casuistry he had destroyed confidence in a catholic's oath.

Of the catholic conspiracy denounced by Oates and Dangerfield the Duke of York was guiltless. Of the catholic conspiracy against protestantism and freedom, of which Louis XIV. was the head, the Duke of York was unquestionably a limb; and to put a free and protestant nation into his hands might well seem and was proved by the event to be national suicide. For one part of the royal office, the headship of the church of England, he was plainly disqualified. His conduct as satrap in Scotland, where he looked on unpityingly at torture, showed that



he was a cruel tyrant as well as a bigot. But he was heir presumptive to the crown, and there was no longer any hope that Charles would have legitimate offspring. James had no son. His heiress was his daughter by his first wife, brought up, by the king's order, as a protestant, and married to William of Orange; after whom came her sister Anne, also brought up as a protestant. But he had taken as his second wife Mary of Modena, a Roman Catholic, and by her he might have a son who would cut out his two protestant daughters and perpetuate a Roman Catholic dynasty. That parliament had a right to deal with the succession to the crown there could be no doubt, since it had done this in the case of Henry IV., and still more signally by the Act which enabled Henry VIII. to dispose of the crown by will and exclude the Scottish line. To this extreme remedy it was now determined by the patriots to resort, at the evident risk of civil war, since there could be no doubt that James would fight for the crown or that he would have a large legitimist party on his side. A Bill excluding the Duke of York from the succession passed with ease through the Commons, now intensely anti-catholic and thoroughly opposed to the court. It would have passed through the House of Lords but for the influence of Halifax, the great Trimmer, in whose eyes the boldness of the measure would be its sufficient condemnation. The Bill was supported by ministers of the crown, Sunderland and Godolphin, as well as by the reigning mistress; but thanks to the oratory of Halifax it was thrown out by a majority of sixty-three to thirty. The patriots had compromised their cause and given a handle to the opponents of the Bill, of which Halifax took advantage in debate, by countenancing the pretensions

of the Duke of Monmouth, Charles's bastard son, a beautiful and brave but brainless youth, his father's darling and a protestant idol. A story was set afloat of a secret marriage between Charles and Lucy Walters, Monmouth's mother, evidence of which was said to be preserved in a mysterious black box. On the faith of this Monmouth gave himself royal airs and even assumed the royal arms without the bend sinister. The king solemnly, and no doubt truly, declared that he had never been married to anyone but the queen. The Exclusion Bill seems to have been needlessly invidious and aggressive in form. Instead of indicting and proscribing the Duke of York personally, might it not simply have extended the principle of the Test Act to the crown?

Halifax, ever the friend of middle courses, advocated, in place of an Exclusion Act, an Act of Limitation, to which, or something like which, it seems the king would have assented, though he refused to deprive his brother of the birthright. A Bill was drafted under the guidance of Halifax depriving James of his negative voice in Bills passed by the two houses, transferring from him to the parliament the right of treating with foreign states and that of appointing to offices, and banishing him to a distance of five hundred miles from England during the king's life. James, as might have been foreseen, rejected with scorn a plan which would have left him the mere name of king. From engagements the Jesuit would have released him. He would as certainly have taken arms against limitation as he would against exclusion; there would have been civil war in either case; and limitation would have had no name wherewith to conjure, no sentimental rallying cry upon its side. It would seem that

there was nothing for it but to take the bold course, bring forward the effective measure and try the sinew of the nation. If for the present the sinew failed, the tyrant, having full swing, might brace it, as in the sequel he did.

Charles again dissolved parliament. An agitation was then organized by the patriots in the form of petitions for its re-assembling. But now the royalist and legitimist feeling of the country was aroused, and with it the fear of a renewal of the civil war. The frenzy of the Popish Plot had abated; remorse had begun to take its place. The execution of Lord Stafford excited the pity even of the fanatical mob of London, which responded with sympathy to his protests of innocence on the scaffold. In opposition to petitioners for the meeting of parliament swarmed out Abhorrrers of those petitions and of interference with the rights of the crown. Restoration sentiment showed its renewed force in a shower of loyal addresses. It began to be seen, Burnet says, how little dependence could be placed on the hot fits of popular fever or the flowings of the popular tide. The dominant party in the Commons, not contented with asserting the right of the subject to petition for a parliament, launched out into disgraceful excesses in the impeachment of the leading opponents of exclusion and in the denunciation and arbitrary punishment of Abhorrrers, and a reaction against that tyrannical violence ensued.

Now were heard for the first time the two party names, famous in American as well as English history, and borne by the two great British parties almost down to the present day. In themselves the names have little meaning, Tory being a designation of Irish banditti, Whig that of wild fanatics in western Scotland; and perhaps



they were not on that account less adapted for the service of party, since a man may change his mind about a principle, while he cannot change his mind about a name. The Tory, however, was the friend of government by prerogative and of church privilege; the Whig was the friend of constitutional liberty and toleration; in effect, the Tory was a supporter of monarchical, the Whig of parliamentary supremacy. To be the friend of monarchical supremacy was to be the friend of the house of Stuart; to be the friend of parliamentary supremacy was to be an adherent of the house by which, under an Act of Parliament, the house of Stuart was to be supplanted. In the Whig the Puritan opponent of the personal government of Charles I. may be said to have risen again, so far as the political part of the character was concerned, though the religious part of the character had dropped off. The Tory was an unromantic Cavalier. In later times, when the question between royal and parliamentary government had been finally settled, and the dynastic question connected with it was no more, the Tory party became that of political and ecclesiastical reaction, the Whig party that of general progress, till the Tory was softened into the Conservative, while the Whig blossomed into the Liberal.

1681 Charles showed his wisdom by holding his last parliament, not at Westminster, under the influence of the great city of London with its protestantism, its liberalism, and its inflammable populace, but in quiet and loyal Oxford. Had Louis XVI. taken the hint and held his States-General at some provincial city instead of holding them at Versailles, he might have had less trouble. Not having London to back them, and fearing or affecting to

fear violence, the Whig leaders came to Oxford with armed trains as the patriot barons had come to the same meeting place in the reign of Henry III. Now the abyss of civil war seemed to open under the feet of the nation. A violent recoil ensued. The king felt himself strong enough in national opinion to take the aggressive and turn the tables on the Whigs. He suddenly dissolved parliament, the liability of which to dissolution at the will of the king was always its weak point in the struggle for power. His appeal to the people was well received; yet to avoid the fatal suspicion of popery he signed the death-warrant of Archbishop Plunket, the last victim of the Popish Plot, a prelate of the church to which he himself in heart belonged, and innocent, as he knew. 1681

Judges who held their places at the king's pleasure were his creatures, and such men as Scroggs and North would be not less ready to serve power by murdering Whigs than they had been to serve it by murdering catholics. But there had now come on the stage a figure which more hideously profaned the judgment-seat than even those of Scroggs and North. To any defence which political superstition may attempt to set up for James as king, it is a sufficient reply that he patronized, advanced to the highest office of the law, and employed as his trusted counsellor and instrument, such a scoundrel, ruffian, and assassin as George Jeffreys. A judicial reign of terror now commenced. The first blow struck was the execution of College, the protestant joiner as he was called, the inventor of the Protestant Flail. Shaftesbury was indicted, but the venue was in London, where his name was still mighty, and a Whig grand jury ignored the Bill. After a vain attempt to make his peace with 1681

1683 the court, the arch-agitator fled to the continent, and there ended his restless days.

At the head of the Whig party were Lord Russell, son of the Earl of Bedford, Lord Essex, and Algernon Sidney. Russell was a scion of one of those houses which originally had been attached to the protestant Reformation and the political principles connected with it by large grants of church lands. But he was also a sincere Whig and a genuine patriot, deservedly honoured, though, like other Whigs, he had disgraced himself by countenancing the Popish Plot. Algernon Sidney was an old soldier of the New Model, a regicide in sentiment though not in act, a member of the Council of State under the Commonwealth, a thorough-going republican of the old Roman type, and a political writer of that school. It is a strange stain on the character of this Whig saint and martyr that he should have taken money from the king of France, for however patriotic a purpose he may have meant to use it. Lord Essex was a politician of moderate sentiments and no great force. These men feared, and with good reason, that the cause of law and liberty was now going by the board. There is little doubt that they contemplated armed resistance in case of extremity, and took counsel with each other as to the means of organization. It does not appear that they went further or did anything which could be legally designated as treason. But there was a knot of men of a lower grade, fanatical republicans and heirs of the regicidal Independents, who entered into a plot called, from the intended scene of its execution, the Rye House Plot, for an attempt upon the person of the king. By the artifice of the court lawyers the counsels of the Whig leaders were confounded with the Rye House



Plot, and with the help of the patrician treachery of Lord Howard, who betrayed his friends Russell and Sidney, the patriots were brought to the block. Tyranny has never laid their ghosts; the picture of Russell at the judgment bar, with his wife acting as his secretary at his side, is familiar to English eyes, and his powerful house has constantly appealed to the people in his name. Essex committed suicide in the Tower, probably to save his heirs from the consequences of his attainder for treason. Party whispered that he had been murdered. The king was quite incapable of any but judicial murder. In laying the wreath on the graves of these patriots we must remember that their party was responsible for the Popish Plot and that Russell had voted for the death of Lord Stafford.

It was now seen what a king with subservient judges might do without overstepping the strict limits of the law. On pretence of a technical breach of the charter of London on the part of the citizens, the charter was, at the instance of the crown, declared forfeit by the courts. Thus the defeat of the crown in the case of Shaftesbury was avenged, and the liberties of the great Whig city were laid at the feet of the king. From London the process was extended to other boroughs which were the strongholds of the Whig party. Charter after charter was declared forfeit by a servile judiciary. The king remodelled the corporations at his pleasure, filled them with his creatures, and became master of the urban representation. The landed gentry, who commanded the rural constituencies, having now for the most part turned Tories, he was master of the parliament.

By the Act repealing the Triennial Act it had been laid

down as a principle that a parliament should be held at least every three years, but no provision was made in it for enforcement. During the last four years of his reign Charles, following his father's example of personal government, held no parliament. In no other way can he be said to have broken the law. All the other acts of his tyranny, the confiscation of the charters and the judicial murders, were technically legal. It is a lesson to those who rely too much on the forms of institutions.

1680 The political atmosphere was now dark with the most slavish doctrines of prerogative. At this time was put forth, amid the general applause of the Tories, above all of the Tory clergy, Filmer's theory of the divine right of kings, the patriarchal origin of government, and the indefeasible claim of the first-born. With this fancy solid interests, monarchical, aristocratic, and clerical, were closely bound up, otherwise its author and his disciples would have had little right to deride the hallucinations of any fanatic. From Oxford, the heart of ecclesiastical  
1683 Toryism, came a decree, afterwards burned by the hangman, against a string of damnable doctrines, such as that civil authority is derived originally from the people, and that there is a compact, express or tacit, between the king and his subjects. The decree did not, as did Filmer, condemn limited monarchy, but it affirmed primogenitary right, which is truly said to come practically to the same thing. On the University of Oxford the reproach is cast, but the voice was in truth not that of a university; it was that of the clergy who filled the headships and fellowships and had banished from the place all studies, all interests, and all sentiments but their own. By the clergy throughout the country, who had probably been

the soul of the political reaction, Filmer's doctrine was zealously preached.

In opposition to the religious absolutism of Filmer and the unreligious absolutism of Hobbes will come Locke with his original compact and pervading spirit of Liberal Christianity. Oxford, at the bidding of the Stuarts, has expelled him. He is in exile in Holland. 1684  
But he and his political philosophy will return. Light lingers on the horizon and will broaden into day.

Circumstances favoured political reaction. In spite of misgovernment and perversion of justice, the country seems to have been prosperous. Trade increased; the price of land was high. London, after the Great Fire 1666  
which followed the Great Plague and perhaps purified its 1665  
filthy and infected scene, had risen with surprising rapidity from its ruins. There was anguish among patriotic politicians, but among the people probably little discontent. The army had been increased to an amount fully sufficient for the purpose of repression.

Charles was good-natured and too lazy actively to play the tyrant. Having at last got rid of the parcel of fellows who pried into his affairs, he might have been contented with the quiet enjoyment of his concubines, in the midst of whom, with a French boy singing love-songs and the courtiers at a gambling-table, Evelyn and two other grave gentlemen were scandalized by seeing him one memorable Sunday afternoon. But his pleasures were cut short by a somewhat sudden death, which con- 1685  
temporaries paid the usual compliment to the morality of their times by attributing to poison. On his death-bed he declared himself a Roman Catholic, was admitted by a priest, furtively brought to his bedside, into the church,



and after a confession which, if at all complete, must have been highly condensed, received absolution and the sacrament. To the courtiers who, according to the hideous custom of that day, thronged the chamber of death, he apologized for being so unconscionably long in dying. Exile, which obliged him to be gracious, had taught him, if nothing else, the urbanity which was his saving grace as a king.

The prince whom the Exclusion Bill would have proscribed ascends the throne.

## CHAPTER II

### JAMES II. — THE REVOLUTION AND ITS RESULTS

BORN 1633; SUCCEEDED 1685; LEAVES THE KINGDOM 1688

A REVOLUTION proper is a violent change of the form of government. Such was the French Revolution. Such have been the revolutions and counter-revolutions by a series of which it has been followed. Such were the revolutions which often occurred in the states of antiquity and in the city republics of the middle ages. Such had been the English Revolution in the time of Charles I., commonly known as the Great Rebellion. Such was the revolution which separated the American Republic from the British crown. The Revolution of 1688, though glorified by that name, was not in fact a revolution at all; it was a change of dynasty, not of the form of government. The form of government it preserved from the change attempted by a king who strove to turn a limited monarchy into a despotism, and at the same time to impose an alien religion on the nation. It was in fact the defeat of revolution attempted in the interest of reaction. It was attended by no revolutionary violence, went through none of the phases of revolutions, produced no Girondists or Jacobins. Nor was it propagandist, though its results inspired Montesquieu and Voltaire.

In the next reign a trial of a great political cause gave the Whig leaders the opportunity for an exposi-

tion of the principles on which the party had acted in 1688. Nothing can be less revolutionary than their speeches. Their creed is that no part of the constitution was altered or suffered the least damage; but that the whole received new life and vigour. They studiously minimize resistance. Still, 1688 is a landmark. It closed the long conflict of which the first great crisis was the struggle for the Petition of Right. It established the supremacy of parliament. From the point of view of constitutional liberalism, it was not unworthy of the admiration with which it was regarded by Burke.

Not only was this a British, it was a European event of the first order. It redressed the balance of power in Europe. Under the Stuarts England had become the subsidized and subservient ally of the French king's rapacious ambition, and of the popery, cognate to despotism, of which he, more than the pope himself, was the head. The Revolution of 1688 transferred her to the side of William of Orange and of the liberties of Europe.

When James, as Duke of York, fearing for his brother's life, offered him his own guard, Charles, as the story went, replied, "Don't be afraid, brother; nobody will kill me to make you king." Charles was not by nature a tyrant. He was not malignant or cruel. His only personal murder was that of Vane. His desire was not absolute rule, but freedom from inspection and control. James was a tyrant by nature. He was malignant and cruel in a high degree. His heart was as hard as flint. We have no reason for rejecting the positive statement of Burnet that James, while acting as viceroy in Scotland, used to sit out the applications of the boot and thumbscrew when other members of the council left the room.



That as king he beheaded one aged woman and burned another alive for showing womanly kindness to a hunted fugitive, are certain facts. It is not less certain that he presided over a cruel persecution of peasants in Scotland and rewarded the perpetrator of a most savage and dastardly butchery of peasants in England. Nor can it be doubted that he aimed at absolute power. Louis XIV. and French monarchy were always in his mind. He was almost more than absolutist. He fancied himself the vicegerent of God. To his council at his accession he had proclaimed his resolution of reigning according to law; yet the first thing that he did on ascending the throne was to show his contempt for the law of parliamentary taxation by ordering the customs to be collected before they had been voted by parliament. He addressed his first parliament in the menacing language of a master. A still more ominous sign of his intentions was his immediate increase of the standing army. That if he had not been prevented he would have used that army to crush constitutional liberty, to introduce French despotism, and afterwards to force popery on the nation, cannot reasonably be doubted. Fortunately for the nation, while Charles had been an unprincipled man of sense, James was an obstinate fool.

Of loose life, like his brother, and scandalously given not only to concubinage but to adultery, James, unlike his brother, was devout and under the dominion of priests, to whose influence he, like Louis XIV., would be exposed by an old sinner's cravings for specifics to save his soul, as well as by the general tendency of kings. Especially was he under the dominion of the Jesuits, who in directing his perverted conscience for their own objects

showed their usual unscrupulousness, their usual cunning, and their usual lack of wisdom. The intrigue of the sons of Loyola is often a web woven with infinite skill and labour, but in the moment of accomplishment swept away. Even the failures, however, have cost humanity dear. In England the Jesuits brought ruin upon themselves and upon their dupe. In France their influence, exercised through a priest-ridden woman and a royal confessor over the conscience of the French king, enabled them to obtain the revocation of the Edict of Nantes and cruelly to persecute or expatriate the best and most industrious part of the French people. The house of Bourbon in the end paid for its submission to Jesuit guidance even more dearly than the house of Stuart.

The disgraceful vassalage to France commenced by Charles II. was continued by his successor. With abject expressions of gratitude James received the dole sent him on his accession by his French patron. It was his pride, not his patriotism, that afterwards rebelled, and led him at a decisive moment peevishly to reject his patron's advice and aid.

The twin objects of James's policy, absolute monarchy and the conversion of England from protestantism to popery, were thoroughly akin, as the history of Europe has shown; yet, happily for the nation, one of them crossed and wrecked the other. Had he aimed at absolute monarchy alone there is no saying what the event might have been. In the end, probably, national spirit and the love of liberty innate in the race would have gained the day. But there might have been an evil time. When James came to the throne everything was propitious to his design. The tide was running in favour

of royalty almost as high as on the morrow of the Restoration. The clergy were preaching the doctrines of Filmer, in support of the power to which they were beholden for their restoration to wealth and privilege, and which set their feet on the necks of their nonconformist enemies. James was a Roman Catholic, but he had pledged his word to uphold the church of England, and the clergy believed him, as they reasonably might, knowing that they were at least as good friends to absolutism as any Roman Catholic priesthood; better friends, in fact, since their dependence was solely on the crown. It was passed round among them that they had for their security the word of a king who never was worse than his word. From the University of Oxford, their mouthpiece, came professions of unlimited obedience. James's bluntness was taken for honesty by those who did not know that his hand was held out behind his back for French gold. The attempt to deprive him of his birthright, having failed, had increased his popularity. After the defeat of the Exclusion Bill and the discovery of the Rye House Plot, the Whig party, which was that of liberty and the constitution, lay prostrate. Its electoral strongholds, the boroughs, had, by the remodelling of the corporations after the wholesale confiscation of their charters, passed completely into the hands of the crown, which already had the support of most of the squires, and of the county constituencies which were under their control. Where there was still any room for doubt about the election, official influence and intimidation were unscrupulously used. The electorate of Cornwall, which had forty-four petty boroughs, was openly packed with guardsmen. Here was plain treason to the constitution.



1685- When the House of Commons met, the king said that it contained not more than forty members whom he would not himself have chosen. In the Lords, though not Tory principles, the conservatism of wealth, rank, and privilege would prevail. Thus the parliament was the king's own, and he might keep it, as the law then was, if he pleased, to the end of his reign. In fact, the parliament was too much the king's own. His majority was too overwhelming. He had left not enough of an opposition to stimulate and keep in exercise the loyalty of his friends. For want of Whigs to combat there was a danger that the assembly, as no assembly likes to efface itself, would in time be led to combat the crown. Scarcely, in fact, had parliament met when the voice of Seymour, a Tory magnate, was heard denouncing the interference of the government with the purity of election. In the second session something like an opposition was formed, and it took the turn, ominous for James, of praying that the law might be put in force against papists. Here the danger-signal appeared.

1685 In its first session, however, the House carried loyalty to the verge of suicide. It almost repeated the great self-betrayal of the parliament of Richard II. It condoned the illegal collection by James of the customs voted only for his predecessor's life. It gave him for his own life the whole revenue of Charles II. with the addition of a tax on sugar and tobacco, the means, in fact, if he was frugal, not only of carrying on the government but of paying troops independently of the vote of parliament. This would have made him eventually absolute, provided he only advanced with caution and refrained from doing what would drive the nation to rebellion.

James would fain have repealed the Habeas Corpus Act, which he justly deemed fatal to absolute monarchy. He was baffled for the time in an attempt to extend the treason law so as to make it treason in any member of either House of Parliament to move for a change in the succession to the crown. He succeeded in obtaining the re-enactment of the law against the liberty of the press. 1685  
 As soon as parliament showed the slightest independence it was prorogued and met no more. That James was marching to despotism as well as to the establishment of his own religion there can be no shadow of doubt.

The king's temper was soon shown by inflicting on Oates and Dangerfield, the inventors of the Popish Plot, a punishment which amounted to scourging to death, though Oates, by a miracle, escaped with life. His real feeling towards the nonconformists, whom he afterwards hypocritically courted, was shown by the fining and imprisonment, after a trial brutally conducted by Jeffreys, of Richard Baxter, that excellent and blameless minister of Christ, to whom, as a Presbyterian loyal to the crown, a bishopric had been offered at the Restoration. 1685

Still further to strengthen James's government and thus to increase the peril of the constitution, came Monmouth's rebellion, an enterprise doomed from the outset to failure, since it was premature, managed by wild enthusiasts without national influence, and raised in the name of a pretender in whose legitimacy none but peasants could believe. What is wonderful is that the insurrection should have shown such a front as it did in the west of England, and struck such a blow as it did at Sedgemoor. Where, now, are the English peasants or mechanics who would sally forth with scythes and pitch-

forks to fight against regular troops in a great cause or for a beloved name, and who would come as near as those west country peasants did to defeating a royal army? Argyle, whose accession lent character to the undertaking in the north, redeemed the madness of the attempt by the heroic calmness with which he met his end. When James bade one of his victims remember that it was in his power to show mercy, the man replied that it might be in his power but that it was not in his nature. So Monmouth found when he grovelled at the feet of his pitiless uncle praying for life in vain. On the scaffold Monmouth bore himself better; he at least went out of the world unshriven by the bishops who would have had him profess the doctrine of non-resistance as one of the conditions of his absolution. The church of England had marked her political character by allowing her sacrament to be used as a political test. She here marked it by making a political doctrine a condition of her membership. In truth Royalism has always been a part, not to say a vital part, of her creed. She accepted Eikon Basiliké almost as an addition to her canon, and her preachers put the royal martyr only a little, some of them not at all, below the Saviour. Her offsets in the colonies, though not established, have preserved her political character. They preserve something of it, even in the United States, at the present day.

In the west there followed a hideous slaughter of peasants who had been merely misguided, who, since their defeat, were harmless, and to whom true policy as well as generosity would have shown mercy. First came a murderous raid of Colonel Kirke with his regiment of "Lambs," so called from the emblem of Christ which they



bore on their banners as a Tangier regiment destined to fight against Mahometans. Then came the Bloody Assize, conducted by Jeffreys, whose name is enough, and who butchered on his circuit three hundred peasants, besides inflicting wholesale deportations, scourgings, and fines. The chief justice and the king afterwards cast the blame of these cruelties upon each other. Which of the two lied we cannot say. What is certain is that James polluted the highest office in the realm by paying Jeffreys for his massacre with the chancellorship. The beheading of Alice Lisle, and the burning alive of Elizabeth Gaunt, for obeying the commonest impulses of humanity in sheltering fugitives, as well as the judicial murder of Cornish, an eminent London citizen, for opposing court influence in city elections, combined with the Bloody Assize to show all men what there was upon the throne. 1685

The rebellion having been crushed and followed by a reign of terror, with an army, which by this time had been made strong, with Churchill to take the command, and Louis to help in time of need, James and his Jesuit guide, Father Petre, might well think that the time had come for the opening of their attack upon the church. Resistance on her part they could hardly fear. Had she not preached unlimited submission? She had; but they failed to see that what she meant was unlimited submission to a king who would subdue her enemies before her, and secure her wealth and power. 1686

In another quarter James had prepared support for his policy. His father had intrigued with the catholic Celts of Ireland, irresolutely and to his own ruin, because he was not a catholic himself. James, being catholic him-

self, could without hesitation enlist their aid, so far at least as the religious question was concerned. Rochester, the Lord Deputy of Ireland, though brother-in-law of the king and a thorough-going Tory, was driven from his office to make way for the catholic Tyrconnel, a reckless and profane ruffian, whose nickname was Lying Dick, and who had once served James's lusts. By this man all the powers of government and all the offices of the army, the civil service, and the judiciary were transferred from the protestants to the catholic Celts, who were organized for an onslaught on the protestants and the recovery of the forfeited land. Outrage, pillage, and terrorism reigned. The days of the Ulster massacre seemed about to return. A panic exodus of protestants began. At the same time, to the disgust of England, Irish catholics were imported into the English army of coercion.

The king's game was the same which had been played in the last reign. It was probably played in both cases by the same hand. The nonconformists were first to be made, as before, by a fresh turn of the screw, to feel the need of relief. Then was to be put forth a Declaration of Indulgence suspending all the penal laws, which, it was hoped, would unite the nonconformists with the Roman Catholics against the church of England. In the end, Roman Catholics having been put in command of the army and into the offices of state, and their religion having thus been made dominant, the nonconformists, it cannot be doubted, were to share the fate of the Covenanters in Scotland and the Huguenots in France. Then in England, as in France, the true church and the church of kings would reign alone. To the ambassador of Louis James frankly avowed his aim.

Wise Roman Catholics abroad, and notably the Italian statesman who wore the triple crown, having some insight into the English temper, advised caution. But to the king and to his chief adviser, the Jesuit Father Petre, apparently triumphant as they were over all opposing forces, caution seemed mistrust of God. They went forward at a pace which soon left the staunchest Tories behind, and threw off the most devoted and servile ministers of the crown. Halifax, who had been Charles's last adviser, and to whom was due the defeat of the Exclusion Bill, was thrown off early in the race. Danby, a thorough-going Tory, but also a strong protestant and churchman, did not hold on long. The king's two brothers-in-law, Rochester and Clarendon, desperately clinging to power and pelf, were at last compelled to resign. In the midst of all appears Catherine Sedley, the king's protestant mistress, comically crossing by her unholy influence the threads of priestly intrigue. Otherwise none but apostates kept their places. By apostasy Sunderland kept his. With apostates such as Sunderland, who presently proved a traitor, with Jeffreys, who apparently was beneath apostasy, with Jesuits like Father Petre, and some Roman Catholics of the better sort, who, as they had been excluded from public life, could not be statesmen, for his advisers, the king rushed onwards to his doom. Public sentiment, instead of being spared, was recklessly provoked. The popery of the court was proclaimed and paraded in the manner most offensive to the nation. Priests and friars in the garb of their order stalked the streets of London. An embassy was sent with scandalous ostentation to Rome, and a papal nuncio was with ostentation equally

1685

1687

1687



scandalous received in England. In recent times, papal  
1850 aggression, though impotent and harmless, has set Eng-  
land in a flame; and those were the days of the expulsion  
of the Huguenots, the days in which the fires of the  
Inquisition were still burning at Madrid.

Under colour of a decision in a collusive suit the laws  
1686 excluding Roman Catholics from office, civil and military,  
were set aside by an exercise of the prerogative of  
dispensation, and the king proceeded to fill the ser-  
vices with Roman Catholics. It was certain that if  
this went on, other offices, civil and military, would in  
the end be filled by men of the king's religion. Above  
all things menacing were the enlistment of Roman Catho-  
lics, especially the Irish, in the army, and the evident  
determination of the king to place a force, which the  
nation had no means of resisting, in Roman Catholic  
hands. The struggle was not against Roman Catholic  
equality, which, coming in a lawful way, might have  
been welcomed by wise and good men, but against Roman  
Catholic ascendancy. English protestantism was fighting  
for its life.

Dispensation of particular persons from particular laws  
and for special reasons is allowed to have been always a  
part of the prerogative. But what James asserted was a  
power of general dispensation which would have set pre-  
rogative above all law.

To give a legal colour to royal encroachment, a bench  
of subservient judges was necessary. So much of respect  
for the constitution still remained. It was by means of  
such a judiciary that Charles II. had been able, without  
technical usurpation or breach of law, to deprive the cor-  
porations of their chartered rights and commit political

murders. The crown had the power of appointing and dismissing judges at pleasure. This power was used by James to weed the bench of independence, learning, and eminence, and to fill it with court tools, for whom, to the credit of the bar, he had to look in the lowest grades of the profession. Here again he treasonably assailed the foundations of the constitution.

An ecclesiastical court of high commission had been instituted by Elizabeth for the protection of the church of England. It was revived by James for her destruction. 1686 Three bishops, Cartwright, Crewe, and Sprat, were found servile enough to sit in it beside the debauched and polluted Jeffreys for that purpose. A course of aggression was commenced on the universities, the high offices of which were then clerical, evidently to pave the way for ulterior designs upon the church. Massey, a dis- 1686 credited apostate to Romanism, was thrust into the deanery of Christ Church; Obadiah Walker, another apostate, 1686 was allowed to hold the headship of University College; law being set aside by prerogative in their favour. A Roman Catholic head was forced by royal mandate upon Magdalen College; Hough, who had been duly elected, with his Fellows, was expelled, and the college was turned into a popish seminary. Cambridge also was dragooned to force her to admit a Benedictine friar, 1688 clearly against the law, as a Master of Arts. Parker, a political tool of the king's designs against the church, was made Bishop of Oxford. The violent ejection of Hough and the Fellows of Magdalen from their freeholds, striking at all free-holders, created general alarm and disaffection.

At his accession James had promised to uphold the

church as by law established, calling her a good friend to monarchy, and delighted pulpits had re-echoed his words as those of one whose plighted word was his bond. The University of Oxford had promised him submission without limits. But when the king proceeded to lay his hand on Oxford headships and fellowships, a limit to submission was found.

1687  
and  
1688

Finally James, advised no doubt by the purblind cunning of his Jesuits that the time for the grand stroke had arrived, put forth his Declaration of Indulgence, suspending, in favour of catholics and nonconformists, the penal code in matters of religion. He here openly set his foot upon all law. If by his fiat he could suspend one statute, he could suspend all. He had hoped to cozen the nonconformists; though on this point he might have been warned by his experience under the late reign. The nonconformists once more were better advised. As before they saw the snare, and discerned to whose advantage the triumph of Jesuitism and despotism over law would in the end enure. They were warned by the treatment of Baxter, whom Jeffreys, James's second self, had proposed to whip at the cart's tail. If they looked to Scotland they there saw their Presbyterian brethren harried and slaughtered by dragoons, such as Claverhouse, Dalziel, and Turner, hung up at their own doors, or tortured with the boot and the thumb-screw; while a woman for her religion was tied to a stake on the sea-shore and left to be slowly drowned by the tide. If they looked around them they saw Huguenot refugees who had fled from the persecuting sword of James's patron Louis and of the Jesuits who were masters of his counsels. They saw the bread which protestant charity gave to the



Huguenot refugee in England snatched from his mouth by James's hand. Could they believe that a most bigoted son of a church avowedly intolerant, and wherever it had power persecuting, was a genuine friend and patron of toleration? Still, the pressure of the penal laws upon them had been cruel. Relief must have been sweet, and a tribute is due to the constancy as well as to the prudence which rejected the unhallowed and insidious boon. A few of the nonconformists only went astray. Of these the most notable was William Penn, whose admirers must perforce digest the fact that a really eminent philanthropist may at the same time be a courtier and an intriguer, to use no harder term. Beyond doubt Penn both cringed to James himself and tried as a go-between to seduce Anglican clergymen and other protestants from their duty. Such are the perils of spiritual ecstasy untempered by the common moral rule. In the demeanour of the Anglican clergy towards dissenters there was wrought a wonderful change. All at once they found out that the nonconformist was their brother. There were among them some on whose part these demonstrations of amity were consistent and sincere. The circle of Tillotson and Stillingfleet, heirs of the Cambridge Platonists, and, from the breadth of their views and sympathies nicknamed Latitudinarians, were genuine liberals, desirous of the widest comprehension, and precursors of the Broad Churchmen of the present day. But in the mass of the order, sympathy with nonconformists was new-born and proved short-lived.

The Jesuit Father Petre had boasted that he would make the Anglican clergy eat dung. It would seem to have been in fulfilment of this boast, it was at all events

in the mad insolence of tyranny, that he and James resolved to force all the clergy of the church of England to read the Declaration of Indulgence from their pulpits. After much searching of heart and an agonizing struggle between loyalty and professional duty, the great body of the clergy refused, while the few who complied found that they had forfeited the respect of their congregations. Seven bishops, with the Archbishop of Canterbury at their head, drew up a remonstrance in the shape of a petition couched in the most respectful terms, which they presented to the king. The petition, presented in private audience, became public, and Jeffreys, with the shallow craft of a pettifogger, suggested the prosecution of the seven bishops for a seditious libel. The bishops at once became the idols of the people, who followed them on their way to prison with prayers and blessings. The court might think that it could count upon a bench which it had packed with tools. But even to that bench and into the box of a packed jury the tidal wave of national sentiment found its way. After a trial, equal in political importance to that of ship-money and full of critical and changeful interest, the verdict was acquittal. The court made its defeat more shameful by putting into the box its secretary of state, the recreant Sunderland, to prove at the expense of the king's personal honour the publication of the alleged libel. A roar of national exultation greeted the verdict, and was taken up by the camp which James, to coerce London, had placed at Hounslow; unadvisedly, for troops quartered in or near a disaffected city are likely to catch the disaffection, as the French Guards did when they were quartered in revolutionary Paris. James saw the public men, the church, the army, the

country, falling away from him. Even the servile Sprat, discerning the gathering storm, fled from his seat in the high commission. The king's only hope was in a parliament subservient enough to support his system. To get such a parliament elected, corruption, fraud, and violence of every kind were tried, and tried in vain. Test questions for candidates, circulated by the court, were parried by concerted answers. Local officers of the crown resigned rather than do the infamous work which was imposed upon them. Corporations, bedevilled by regulators to secure the return of court candidates, had to be bedevilled over again, and even then the court candidates were not returned. Some, elected in the court interest, ratted after the election. These open aggressions upon electoral rights, assailing the foundations of the constitution, have been truly called James's capital delinquency. No hope was left the subject but rebellion. 1688

The king found himself confronting a nation which, saving the catholics, the Quakers, and a few other non-conformists, was unanimously hostile to his designs, and felt the ground beneath his feet heave with revolt. Still, he had his army, numbering now forty thousand men, faithful, as the event showed, for the most part to its paymaster, notwithstanding the shout at Hounslow, and with Churchill in command. That the levies of rebellion, undisciplined and scattered, would be unable to cope with such a force, the fate of Monmouth's brave peasantry had shown. The memory of civil war and its horrors had not died out. There was still a fund of blind loyalty to which the king, if he would renounce his evil courses, might appeal, and which in the sequel gave him a party, and a strong party, after his forfeiture of the



throne. The conduct of Halifax is not a bad criterion of the sentiments of all but the most thorough-going enemies of tyranny, and Halifax declines to take part in any strong measure of resistance. The king had no son. His heiress was his daughter Mary, married to the great European champion of protestantism and freedom. After her came his second daughter, Anne, also a steadfast protestant. His system would come to an end with his life, and that thought filled him and his Jesuits with such despair that they had conceived desperate projects of altering the succession. Most patriots, therefore, were probably inclined to content themselves with keeping up the fight in elections and law-courts, with the certain assurance that in the course of nature the tyranny must come to an end.

1688 But an event took place which crowned the wishes of the king and the Jesuits, filled them with ecstatic gratitude to heaven, and precipitated their ruin. A son was born to the king. All now admit that the child was really his son, though so little care was taken at the time of the birth to establish that fact, and so much suspicion of foul play had been created beforehand by the silly prayers and prophecies of the Jesuits, that few even of the cool-headed and well-informed believed in the legitimacy of the Prince of Wales. James and the Jesuits had now an heir of their policy, and the door of future deliverance was closed to the nation. On the day on which the bishops were acquitted, Admiral Herbert, disguised as a common sailor, carried over to Holland a letter setting forth the discontent of the people of England, and inviting the armed intervention of William of Orange. The letter was signed by Henry Sidney, brother of the republican martyr; the Earl of Devonshire, who was the

leader of the Whigs; Lord Shrewsbury; Danby, the Tory and protestant minister of Charles II.; Compton, Bishop of London, who had been a soldier before he was a clergyman; Lord Lumley; and Edward Russell. The names of the seven men who thus faced the penalty of treason to save the country and its religion are written in light, though two afterwards sadly fell from grace.

Of the Seven, four were peers, while the families of the other three were noble. This was largely an aristocratic movement. It was led by members of the aristocracy and it left the aristocracy in power. From the days of the Great Charter onwards nobility in England had been far less of a caste and more popular, than on the continent. But the Reformation had given birth to a group of houses bound to protestantism and liberalism by their traditions and by possession, with a title not even yet absolutely assured, of the Church lands. The nobles, moreover, were the immediate competitors of the court for power, and they looked on the great offices of state, into which Jesuits and sycophants were being intruded, as of right their own. Even the standing army was a special offence to their class, which commanded the national militia.

The arrival, in response to the address carried by Herbert, of William of Orange with his Dutch army of deliverance saved England at once from the tyranny and from civil war, binding her by a debt of eternal gratitude to the Dutch nation.

The portrait of William of Orange has somewhat lost by oratorical painting. He was a man of his century, in character a thorough-bred diplomatist and politician. He is thought to have shown no extreme anxiety to prevent, no excess of moral delicacy in turning to

his account, the murder of the brothers De Witt, the two leaders of the opposite party in Holland. He had fought a battle with a treaty of peace in his pocket, though not to give him a safe lesson in his trade, but to save an important fortress. Nor had he any scruple when he came to the English throne in taking into employment such men as Kirke and Sunderland. The massacre of Glencoe, cast in his teeth by the scribes of a king who had bombarded Genoa, ravaged the Palatinate, and expelled the Huguenots, leaves no very dark stain on his memory; on the advice of his minister he sanctioned a proposal for the extirpation of a robber clan, having no means of knowing what the passions of a Highland feud would do. His only serious fault in that case was failure adequately to punish a powerful man when it was perhaps beyond his power. His Calvinism, painted as peculiar and sublime, was the creed of his party in Holland. Whatever he might say about predestination, his faith probably did not much affect his action, nor did it wholly save him from the lax morality of his time. His religion was hatred of French aggrandizement and devotion to the independence of Europe. He was the worthy heir of William the Silent, whom in character he resembled. So fitted was he by his temper and by his diplomatic genius for the part he had to play as the organizer and leader of a motley confederacy of nations against their common enemy and oppressor, that destiny might seem to have framed the great drama of the century and to have cast the part for the express purpose of bringing on her stage this man. Rarely has there been such a union of the qualities of the soldier with those of the negotiator and statesman. Rarely have such courage, such con-



stancy, such fortitude, self-control so serene in adversity and amidst trials of every kind, been seen in any man, as were seen in this man with his feeble frame always under the depressing influence of disease. Of all William's qualities, the most admirable perhaps was a magnanimity which no waywardness, no folly, no ingratitude, no treachery on the part of those with whom and through whom he had to act for the attainment of public objects, could overcome. Ambitious he no doubt was; but his ambition was identical with the interest of his country and of Europe. On his pensive and careworn face, pensive and careworn from his very boyhood, which had been passed under the jealous eyes of the political enemies of his house, England, Holland, and every friend of the independence of nations will always look with peculiar interest and gratitude. The youthful heir of a house, idolized by the people, but excluded from its ancestral power by the burgher aristocracy of Amsterdam, he had been irresistibly called by the popular voice to command in an agony of national peril. Nobly he had answered the call, and by the spirit which he infused he had saved the nation. His political character, thus formed, would be monarchical, but popular at the same time.

The Prince of Orange had, of course, watched events in England with an anxious eye, not only as the husband of Mary, the heiress presumptive to the throne, but still more as the head of the European coalition. On the question whether England should be a vassal of France, or a member of the confederacy of nations against France, he must have felt that the fate of Europe hung. With Monmouth's enterprise he could have no sympathy. Insane in itself, it would, had it succeeded, have cut his

wife out of the inheritance. He had kept on friendly, though on distant, terms with James, had given him none but sound advice, had listened to the growing complaints against him, but had not intrigued. While James had no son, wisdom bade William wait. But now that James had a son William could wait no more. A secret proffer of support from the renegade Sunderland, while it must have curled his lip with scorn, would show him that James was falling, and that the hour was come. He accepted the invitation of the Seven. Fortune at the critical moment played into his hands. Louis, in his reckless arrogance, had estranged the Dutch by blows struck at their commerce, and disposed the cautious traders to hearty sympathy with the daring enterprise of their Prince; while James in his fatuous pride had mutinied against his patron, disregarded the advice of Louis, and for the time forfeited his aid. The French arms, instead of being directed against Holland, were turned against the Empire, and William was left at liberty to form his army, collect his fleet, and sail for England. In the storm which, when he first put to sea, scattered and drove back his fleet, his serene fortitude did not forsake him. Running down the Channel he was carried by the wind past Torbay, his destined landing-place, and for a moment all seemed lost. A change of wind saved the expedition. An invasion of England by steam would be liable to no such accident.

William had landed on the shore which had been the scene of Monmouth's hapless enterprise and had been scourged by the Bloody Assize. There people came in to him slowly. But they came in from the whole country presently under leaders of mark. He put forth

a declaration skilfully framed by the Dutch statesman Fagel, enumerating the grievances which, at the invitation of leading Englishmen, he came to redress, disclaiming any design of conquest, and submitting all to the decision of an English parliament. At the doubt respecting the birth of James's son he cautiously and decorously glanced. Sensible at last of his peril, James fell into an ignoble agony of fear. He solemnly promised to protect the church and to maintain the Act of Uniformity. He said that he would no longer insist upon the admission of Roman Catholics to the House of Commons. He notified his intention of replacing all magistrates and deputy-lieutenants who had been displaced for refusing to further his policy in the elections. He abolished the court of high commission. He restored to the city of London the charter which had been forfeited six years before, and sent his chancellor to carry it back in state to Guildhall. He re-instated Bishop Compton, whom he had deprived of his episcopal functions for refusing to suspend Dr. Sharp, the preacher of a sermon against popery. He charged the visitor of Magdalen College to re-instate the ejected president and Fellows. To his dispensing power he still clung; nor would he remove Roman Catholics from civil or military office. 1688

Even now there was the army, strong enough to resist the invader and apparently not inclined to desert the king; at least the first attempt to carry over a part of it to William failed, and Cornbury, the commander who had made that attempt, had to ride into the Dutch camp without his men. A battle, even supposing that William had gained the victory, would have deprived his enterprise of its character as a deliverance and fatally stamped



it as a conquest. But of the army the master was Churchill, afterwards Duke of Marlborough, and Churchill had sent William a message worth a good deal more than the tendered support of Sunderland. On this man's decision the fate of the undertaking hung. Churchill's character has been painted in violent colours. He was a scion of the court of Charles II., had won the heart of the Castlemaine by his beauty and his surpassing grace, had intrigued with her, had jumped out of her window, had received a large present of money from her, though to say that he was kept by her is harsh. When to be the mistress of a prince was deemed an honour, he had been well pleased to see his sister in the arms of James. His morality was thoroughly loose, his aims were utterly selfish, he was ignobly covetous, and he was presently to be guilty of villainy, the dark memory of which can scarcely be lost even in the blaze of his after glory. In any other age his unscrupulousness would have been portentous. His course, now as always, was determined by his interest, and his interest was bound up with that of the Princess Anne, heiress presumptive to the crown after Mary, who had no child, and under the influence of his domineering wife. For liberty or the principles of the constitution he probably cared nothing. He was a soldier and a courtier, and would perhaps have liked best to serve a king such as the king of France. But to his personal aspirations the birth of a Prince of Wales, as it shut out Anne, was a fatal blow. His strong sense, moreover, must have shown him that the king was rushing upon his own ruin or that of the realm. He saw that, like all who served James, he would in the end have to choose between a loss of his

office and a change of his religion. Fear of having to change his religion was the justification which he pleaded for his desertion in his highly decorous and sanctimonious letter of farewell to James. Nor need we assume that this was mere hypocrisy. Marlborough had long before told Burnet that nothing would induce him to apostatize. That with all his unscrupulousness he was not wholly devoid of religious sentiment, his habit of having prayers read and receiving the sacrament before battle, seems to show. Nor can popery as a system, with its Jesuits and its thaumaturgy, have failed to repel his powerful mind. To tax him with military desertion would be absurd. At such a crisis the duty of the soldier was lost in that of the citizen. Neither can much be said about personal ingratitude to James, for whom Churchill had done at Sedgemoor as much as ever James had done for him. That he should conceal his intention of passing over to William was inevitable; had he betrayed it he would have been arrested; and the concealment involved deception which those who were deceived would brand as treachery. Churchill inflicted another and a heavy blow on James by carrying over with him Anne and her husband, Prince George of Denmark.

James now resolved on flight. He sent his queen with 1688 the Prince of Wales over to France, and himself set out in disguise to follow them. That he might leave anarchy behind him he threw the great seal into the Thames, burned the writs for the new parliament, and issued an order for the disbandment of the army. A night of anarchy and terror in London, in fact, ensued. Then such of the peers as were at hand met and formed themselves into a provisional government, which restored order

and issued injunctions to the commanders of the forces not to resist the Prince of Orange. James was unluckily detained, as he was embarking, by some fishermen, who, not recognizing him, ruffled by their treatment the divinity of the Lord's anointed; an impiety for which they were never forgiven by James, who afterwards excepted them from his promises of pardon. He was thus thrown back on the hands of William, to William's extreme embarrassment. There was nothing for it but to frighten him into a second flight. This time care was taken that he should not be detained. Sacred majesty, dethroned by the profane hands of rebels and heretics, was received with open arms by Louis, treated with generosity the most profuse and delicate, installed in the royal residence of St. Germain, and provided with a magnificent income, wrung, like the rest of the grand monarch's magnificence, from the starving peasantry of France. St. Germain was thenceforth the Mecca of Jacobite pilgrimage and intrigue.

Now came the task of settling the kingdom. William had declared that he would leave all to parliament. Legal parliament there was none, James having destroyed the writs. But a substitute morally sufficient was found in a  
1688 Convention formed by the House of Lords with a House of Commons comprising all who had sat in the House during the previous reign, that is, before the House had been packed by James. William, faithful to his engagement and his character, stood apart in silence. So far Tories and Whigs, united by common grievances and perils, had acted together. The divergence of their principles now appeared. The Whigs, holding the doctrine of the original contract between king and people, and



deeming that James had broken that contract, would have deposed him and elected a successor. The Tories clung to their doctrine of hereditary succession and divine right. Some would have had James restored under conditions and with pledges, as though he had not ascended the throne under conditions which he had shamelessly broken, and as though any pledge could be more binding than the coronation oath. Archbishop Sancroft proposed a regency, which would have severed the allegiance of the subject from his obedience, his allegiance being due to the legitimate king in exile, while his obedience would have been due to the regent at home, and the result of which might have been a succession of regents on one side of the water maintaining themselves by arms against a succession of legitimate kings on the other. To such absurdities could political superstition lead. The high Tory Danby maintained that the throne of England could never be vacant, and would have had Mary proclaimed sole sovereign. From a measure which would have deprived England and the coalition of their indispensable head, the good sense of Mary herself saved the nation, and lasting gratitude is due to her for what she did and for the sweet forgetfulness of self with which she did it. The Whigs and Tories mixed, though they could not fuse, their principles in the famous resolution "that king James II., having endeavoured to subvert the constitution of the kingdom by breaking the original contract between king and people, and having, by the advice of Jesuits and other wicked persons, violated the fundamental laws and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant." The spirit of Locke triumphs over

Filmer in the reference to the original contract between king and people. The reference to "the fundamental laws" shows that the idea of a constitution had been fully formed, the whole discussion shows the growing influence of political philosophy in the practical counsels of statesmen. The crown was given jointly to William and Mary; the executive authority was given to William alone, who was thus sole king, though everything was done in the joint name.

James had fled the kingdom, carried off his son with him, and abandoned the nation to anarchy by making away with the great seal, burning the writs for the election of parliament, and disbanding the army. It might have been sufficient, without raising any theoretic or debatable question, to recite these facts and declare that James had ceased to reign, letting Mary take the vacant throne, and at once, by Act of Parliament, associating William with her in joint sovereignty and giving him the sole administration. But this would not have laid the ghost of hereditary right divine and indefeasible, or for ever precluded attempts on the part of the monarch to bring the practice into conformity with the right. It was better that James should be deposed for violation of the constitution and breach of the original contract between king and people, the sanctity of the constitution and the existence of the contract being thereby affirmed. Deposed he was; that he had abdicated was a politic fiction, as his actions speedily proved.

To settle the principle on which James was to be deposed amid conflicting theories had been difficult. It was not so difficult to enumerate the reasons for deposing him. This it was wisely resolved to do without delay,

that the crown might pass under no doubtful conditions to the new dynasty. The Declaration of Right framed by the Convention, and afterwards ratified by a regular parliament in the Bill of Rights, ranks with the Great Charter and the Petition of Right among the muniments of constitutional liberty. It sets forth and asserts all the principles of the law and the constitution which had been violated by the tyranny. It denies the pretended power of suspending the laws or dispensing with them assumed in the Declaration of Indulgence. It condemns the erection of such courts as the ecclesiastical commission; levying money by prerogative without parliamentary grant, as the customs had been levied by James in the beginning of his reign, or for longer time or in other manner than the same had been granted; and maintenance of a standing army in time of peace unless with the consent of parliament. It asserts the right of protestant citizens to have arms for their defence, of which James's emissary had deprived them in Ireland. It asserts the right of subjects to petition the king, infringed in the case of the seven bishops. It proclaims that the election of members of parliament, with which James had arbitrarily interfered, shall be free, and that speech in parliament shall be free also. It prohibits excessive bail, excessive fines, and such extraordinary punishments as had been inflicted upon Oates and Dangerfield. To prevent the packing of juries, especially in cases of high treason, as they had been packed by sycophant sheriffs like Dudley North, under James and Jeffreys, it provides that jurors shall be duly empanelled, and that in cases of treason they shall be free-holders. For the redress of grievances and for the amendment and preservation of the law it ordains

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1689



that parliaments shall be frequently held. By the Bill of Rights, papists, and any who, like James, should marry a papist, are declared incapable of wearing the crown. In such a case the people are absolved from all allegiance, and the crown is to pass to the next heir; a near approach to the principle of election. Thus the Exclusion Bill was accepted by the nation after all. Papists being what they then were, and what James and Mary of Modena had shown themselves to be, this last article, which might now be one of religious intolerance, was, as well as the rest, one of political self-defence. Upon these terms William and Mary ascended the throne. Their title was, and the title of the Princes of the house of Hanover, whom the Act of Settlement made their heirs, is still, an Act of Parliament, subject to repeal or amendment by the same authority by which it was made.

1696 To the safeguard for the composition of juries in cases of treason secured by the Bill of Rights was added after some delay the abrogation of the barbarous rule which, treating a man accused of treason as guilty before he had been tried, had denied him counsel, denied him an inspection of the indictment, denied him the benefit of sworn evidence in his favour, and made a treason court, with a Stuart judge on the bench, an instrument of legal murder. At the time it was against a king who was the soul of the Whig cause that the dagger of the assassin was turned, and from Tories came the support of the reform, from Whigs came such opposition as there was to its immediate adoption. In the debate, by a happy artifice of rhetoric, for such it probably was, a speaker in support of the measure affected to break down, and then, apparently recovering himself, bade the House consider, if his nerve

thus failed him when there was so little to shake it, what must be the case of a poor prisoner unskilled in the law, and without power of expression, when he was set to plead for his life against the skilled advocates of the crown. The character of the courts, however, was changed, and a treason trial before Holt was far different from a treason trial before Jeffreys.

One vital security for personal liberty was still lacking. It was added towards the end of the new king's reign by 1701 a statute which established the independence of the judges by providing that they should receive fixed salaries, and hold their offices, not at the pleasure of the crown, but during good behaviour, and be removable only on the address of both Houses of parliament. The office of the lord chancellor, the highest judge in Equity, is still political and its holder goes out of office with his party. Otherwise no judge since the time of William III. has been deprived for a political reason. The appointments to the bench long continued to be political, though within a circle traced by professional eminence. But of late even the appointments have become more professional. Since the independence of the English judiciary was secured, the purity of the ermine has been preserved. To this great principle America has been less faithful than England, for if the judge holds the office not during good conduct but at pleasure, as he does when he has to look for re-election, it signifies little whether the pleasure is that of a king or that of a political party styling itself the people. At the same time the coercion or intimidation of juries, practised hitherto, as in the case of Alice Lisle, ceased, and their independence, as well as that of the judges, was secured.

Whatever principles might be laid down, there was no safety for liberty, as recent experience had shown, if the crown could maintain a standing army without the leave or control of parliament. Against this the Declaration of Right and the Bill of Rights provided by denunciation of the abuse, and, more effectually, by prohibiting the raising of the money necessary for the maintenance of the army without a parliamentary grant. Hitherto there had been no military laws to enforce discipline and prevent desertion, other than the ordinances which the crown assumed the power of putting forth for the regulation of the forces when called into the field. An abuse of this power by Charles I. had been the subject of a remedial article in the Petition of Right. But the question having been raised by the mutiny of one of the regiments against the new government, parliament took the matter  
1689 into its own jurisdiction and passed a Mutiny Act. The Mutiny Act ultimately being made annual, parliament has the power from year to year of terminating the control of the crown over the soldier, and practically breaking up the army. No one will confound the martial law which regulates the army, with the martial law which is a supersession of ordinary law by court-martial in time of great public danger, applying to the whole community alike and forming a counterpart to the French State of Siege. Martial law in the second sense is still unrecognized by the constitution and unregulated, as abuse of it has shown. From the passing of the Mutiny Act may be said to date the existence of the standing army as a British institution. The fears of which it then was, and long continued to be, the real or pretended object proved unfounded. An army, recruited from an



obedient peasantry and commanded by gentlemen belonging to a thoroughly constitutional class, never menaced British liberties. Public order, when the police fails, is best restored by the regular soldier, who, unaffected by political passion and obedient to discipline, fires when the word of command is given and not before. The people respect and fear him, so that riot is generally quelled without bloodshed by his appearance on the scene.

The Bill of Rights, with the annual Mutiny Act, makes monarchy constitutional. It ends the long struggle for supremacy between king and parliament. If this did not fully appear during William's reign, it was partly because his position as head of a European confederacy, together with his sole mastery of foreign affairs, made him necessarily supreme in that department; partly because the House of Commons could not at once organize itself for the exercise of its powers and the virtual control of the executive. But if after William's reign personal government was renewed, it was for the time only, and in the way of influence, rather than by prerogative or in avowed exercise of an authority recognized by the constitution. The ministers of state are still appointed by the king, whose influence for some time to come will be largely felt in the appointments, but his choice is gradually limited to the leaders of the party which has the majority in the Commons, until at last it has become little more than a formal recognition.

Not only was the raising of money by the king without parliamentary grant condemned, but the king was docketed of a part of the fixed revenue which the reckless royalists of the last parliament had granted James for his life.

William felt hurt by what he deemed want of confidence, but the change was a corollary of the Revolution.

1689 By the poor, to whom bread is more than politics, the Revolution made itself felt as a power of good in the abolition of the grinding and inquisitorial hearth tax, which had been imposed by the Restoration.

For the settlement of the church question two policies presented themselves; that of comprehension, and that of toleration. The best policy of all, perfect liberty of conscience, had even now found access only to a few prophetic and a few erratic minds. Comprehension had been the policy of the Protectorate. It was the cherished policy of William. It was the policy of the excellent Archbishop Tillotson, the adviser of William and Mary in religious matters, of Stillingfleet and the Latitudinarians. But the Latitudinarians were strong only in London and other centres of intelligence. The clergy generally, the danger to the church from James's aggression being overpast, had soon recovered from their fit of charitable feeling towards nonconformists. They were by this time resolved to abate not a jot of their pretensions and firmly set against any change in Anglican ritual or polity. Their intolerance had found an excuse in the treatment of the episcopal clergy by victorious Presbyterians in Scotland, yet their conduct was odious and reprobated by the best men of their own order. Those sects which no comprehension could comprehend, because they objected to state connection altogether, such as the Baptists and Quakers, would, of course, be opposed to a measure by which they could not benefit. Comprehension would have practically strengthened the establishment; it was, in fact, supported by the Tory Nottingham and

by Bishop Compton with that view. There seems to be truth in the surmise that the leading nonconformist ministers themselves cared little to exchange the lucrative and influential preacherhips of rich city congregations for the position of parochial clergy in the state church. A Bill which would have brought within the pale of the national church Presbyterians and other Trinitarians who did not object to state connection was framed and ardently 1689 pressed. The king, more Liberal than Calvinist, was all for comprehension. But as discussion went on support flagged, and in the end the Bill was allowed to drop. Formally relegated to convocation, in the lower house of which the rural and high-church clergy prevailed, though the upper house, where sat the Liberal bishops, was in 1689 its favour, it speedily found its grave.

The policy adopted was that of toleration. Narrow 1689 enough to us the measure of toleration seems, though it was regarded as a great charter of religious liberty in its day. Compulsory attendance at the services of the state church was abolished. But of the penal statutes of conformity none were struck off the statute book; the Act only provided that they should not extend to anyone who had proved his loyalty by taking the oaths of allegiance and supremacy, and his protestantism by making his declaration against transubstantiation. The Act of Uniformity and the Conventicle Act were not repealed; they were only relaxed. Dissenting ministers, before they could preach, were to be required to sign all the Articles of the church of England, saving those which affirmed that the church had power to regulate ceremonies, that the doctrines of the book of homilies were sound, and that there was nothing superstitious or idolatrous in the



ordination service. Baptists were to be excused from assenting to infant baptism. For Quakers, who would take no oath, a declaration against transubstantiation, a promise of loyalty, and a confession of Christian belief, were to be the test. Nonconformists acquired legal security for their chapels and funds, with something approaching a clerical status for their ministers. The Test Act and the Corporation Act remained in force, and it was specially declared that no indulgence was intended for any papist or for anyone who denied the doctrine of the Trinity. The Toleration Act has been lauded as forming, by the practical wisdom which shines through its manifest imperfections and inconsistencies, an ideal specimen of English legislation. It may readily be conceded that the utmost which could be done at the time was the best thing to do. But it should also be remarked that by this policy was perpetuated, it might be inevitably, the division of the nation into the two hostile, or at least mutually estranged, bodies of churchmen and dissenters. The division was social, political, and intellectual, as well as religious. The dissenters, being excluded by tests from the universities, were denied culture, and contemned for their lack of it. They were trained apart from their fellow-citizens of the state church, with different ideas and sympathies. They always felt themselves, and had reason to feel themselves, in every way disrated; always looked on churchmen not only as a privileged set, but as a dominant class; were always more or less disaffected towards the whole polity of which Anglican supremacy formed a part.

1. Niggardly, however, as the Toleration Act was, it at least recognized dissent and shook the belief, held, be it

remembered, by Presbyterians as well as by Anglicans, that the state was bound to provide all its members with religion and to force it on their acceptance. The recognition of Presbyterianism in Scotland, and the connection of the crown with it, would have the same effect. Nor could the religious headship of the king, and the national respect for him as a sacred personage, fail to be impaired when the king was a Calvinist, an avowed Latitudinarian, and out of the line of divine succession. Charles II., his harem notwithstanding, had been "our most religious and gracious king," and had touched tens of thousands for the King's Evil. No one was touched for the King's Evil by William III.

Most of the bishops and clergy took the oath of allegiance to William and Mary, the high churchmen blinking their doctrine of divine right with more or less of effort and more or less of sophistical explanation. But the primate, Sancroft, and seven other bishops, of whom five, besides Sancroft, had been among the famous Seven, with some minor dignitaries and about four hundred other clergymen or graduates, refused the oath and incurred the penalty of deprivation. The recusants, under the name of Nonjurors, seceded and founded a little church of their own, to which, if it was made ridiculous by crazy pedants like Hickeſ and Dodwell, dignity was lent by the character of Ken. That saintly prelate, having required of Monmouth, on the scaffold, a profession of non-resistance as the condition of absolution, could hardly himself have taken the oath to a government of resistance. Yet his secession was avowedly reluctant, nor did he seek to draw others with him. The clergy of the little church of nonjurors furnished chaplains and tutors to Jacobite

squires. Having few laity to engage their pastoral care, they took to political, and, it was said, sometimes to domestic intrigue. Without substantial basis or real spiritual life their church lingered, ever dwindling, on the verge of existence, for nearly a century, when it expired in the person of a bishop, who had been constrained to earn his bread as a surgeon. It would be difficult to find another instance of religious secession on a purely political ground, as it would to find a church which avowedly treated a political dogma as a vital article of its faith. Lake, Bishop of Chichester, said on his death-bed that he looked on the great doctrine of passive obedience as the distinguishing character of the Church of England and as a doctrine for which he would lay down his life.

The Revolution in England was bloodless, saving one or two petty skirmishes between the soldiers of James and those of William. It was peaceful, saving the few hours of riot in London. Against any outpouring of vengeance William's character was a guarantee; even Jeffreys, instead of being torn in pieces or hanged by a lamp-chain, was allowed to die in prison, and to bequeath his ill-gotten wealth and title to his son, who took his seat in the House of Lords. Crewe and Sprat remained in possession of their bishoprics; Kirke kept his regiment; the statue of the fallen tyrant stood unmolested over the gate of University College at Oxford, though the apostate Master of the College was removed. There were wrongs to be righted, and reparations to be made. The attainders of the Whig martyrs Russell and Sidney were reversed, that of Russell amid general emotion. The wretched Oates was released and pensioned. Liberal



philosophy in the person of Locke returned from its exile in Holland. The charters of cities and boroughs, forfeited under Charles, were restored. The Whigs would have disfranchised for several years all who had taken part in the surrender. They would have imposed an abjuration of king James upon all office-holders and all to whom a magistrate might tender it. They would have made a number of exceptions from indemnity. But William 1690 came down with an Act of Grace extending indemnity to all with a few exceptions, and those mostly of a nominal kind.

At the head of the exceptions from grace stood the judges of Charles I. One of them, the Republican Ludlow, inspired by the Revolution with hopes for the good old cause, came over from his Swiss asylum to England. But he found that for the good old cause there was no hope, and that the name of the regicide was as much abhorred as ever. He represented one of the forces of which 1688 was the resultant; but the resultant did not recognize the force. Yet William was in great measure taking up the work of Cromwell.

Even the enforcement of oaths of allegiance to the new government was a policy of the times from which true policy perhaps would have departed. It awakened scruples which might have slept; it made secret enemies of many who complied, but whose self-respect was wounded by compliance. It drove the non-jurors to secession. Wisdom would have been content with submission.

In Scotland the tyranny had been worse than in England, and the reaction had been proportionately strong. There, instead of declaring the throne vacant, in language balanced between the theories of hereditary right and

original contract, James was summarily deposed for his misdeeds. If this was unavoidable in a case where, royalty being always absent, the throne was never full, and, so could hardly be said to have been vacated, it was at the same time the hearty act of the people. Nor was the Revolution in Scotland free from violence. The episcopalian clergy, especially in the west, were rabbled, that is, mobbed and turned out of their manses, by the peasantry who had been hunted down and whose kinsmen had been hanged over their doors by episcopalian' troopers. The prelatical establishment was swept away, and the Presbyterian establishment was restored, with its democratic organization, with its general assembly, with its simplicity of worship, and with its intolerance. William would have preferred a moderate episcopacy, both as in itself more congenial to monarchy, and because he, like Edward I., Bacon, and Cromwell, desired the union of Scotland with England, to which the severance of the churches was a bar. The Kirk was not restored entirely in its pristine beauty. Something of royal influence, such as a high-flying Covenanter would deem Erastian, over the assembly of the Kirk was reserved to the king or his commissioner, and an element of lay patronage in the appointment of ministers was retained. Besides, William was not a Covenanting king. On these grounds the extreme Covenanters seceded and formed a separate sect. On the other hand, the staunch episcopalians founded an independent church in Scotland, naturally indemnifying themselves for disestablishment by indulgence in doctrine or sentiment somewhat higher than that of the state church in England. Thus Scotland had two sets of non-jurors, episcopal and Covenanting. The sect of Cove-

nanting nonjurors, slender as was its thread of life, long clung with Scotch tenacity to existence, but at last died. The episcopalian church of Scotland still lives, and it was enabled by its independence to transmit apostolical succession to the Episcopal Church of the United States, rent from the state church of England by the American Revolution, which the church of England was precluded from doing by the closeness of its connection with the state.

There was more than rabbling in Scotland; there was civil war, not, however, among the Lowland Scotch, nor properly speaking as an incident of the Revolution. This was a Highland war of clan against clan, none of the clans knowing or caring much about English politics or parties, though a section of them was brought into the field in the name of king James. The Earl of Argyle, by Highlanders called McCallum More, head of the powerful and domineering clan Campbell, was a Whig, and had carried with him his clansmen to that party. This was enough to make the rival clans Tory, while all the clans alike were ready for a raid, no matter in what cause, on the lands of the Saxon. Thus James's lieutenant and emissary, Claverhouse, now Viscount Dundee, the romantic and ruthless leader of the persecuting bands, was able to raise a Highland army in his master's name. At the pass of Killiecrankie he encountered a body of the regular troops under William's general, Mackay, and, thanks to the impetuous charge of his Highlanders with their claymores, gained a brilliant victory. But Dundee himself fell. The Highland host melted away as it had gathered, like a snow wreath, and there was soon an end of the war. Two effects, however, remained. One was



the extension of the system commenced under Cromwell by Monck of bridling the wild Highlanders with forts. The other was an improvement of the bayonet, to the clumsiness of which Mackay owed his defeat at Killiecrankie. In place of a bayonet fixed in the muzzle of the gun, which prevented firing, Mackay invented one which could be fixed without plugging the gun. The missile weapon and the steel, that of the pikeman and that of the musketeer, long separated, were thus brought together again, as they had partly been in the hands of the Roman soldier, who threw the javelin before closing with the sword. This would give the foot soldier an advantage over the horseman; and no military change is without its political effect.

The chief scene of calamity and bloodshed once more was hapless Ireland. There the struggle was still not one of political principle, but one between races and for the land, embittered by difference of religion. Little recked the catholic Celt of questions between Whig and Tory, or of disputes about hereditary right and the original contract. Nor cared he much for king James, though king James was, like himself, a Roman Catholic, except so far as James was an enemy to the English government and lent his countenance to Irish revolt. What the Celt wanted was to expel the Saxon from the island and to win back the land for the Celt. Towards that mark Tyrconnel and his crew madly drove. They assembled  
1689 at Dublin a parliament of Celts and catholics, the action of which was a presage of what the bent of such a parliament if again assembled might be. It repealed Charles II.'s Act of Settlement, which secured to protestants their lands. It thus gave the word for a sweeping

reconfiscation which, had it kept its power, would certainly have ensued. It did not stop here. In its frenzy of hatred it passed a great Act of Attainder embracing between two and three thousand names, and including, with half the peerage of Ireland, baronets, clergymen, squires, merchants, yeomen, artisans, women, and children. Days were fixed before which those whose names were on the list were to surrender themselves to the mercy of their raging enemies at Dublin. Anyone failing to appear was doomed to death and confiscation without trial. To make sure work, the power of pardoning was taken from the king. The worst part of the Act may have been merely ferocious menace; but the Celt was not in a merciful mood. A fitting concomitant of such legislation was a boundless issue of base coin, if pieces of old brass could be dignified with the name of coin at all. This also to the protestant merchant and creditor was a measure of confiscation. The protestants were excluded from the jury box, that is, from any chance of justice; were disarmed, and thus marked out as sheep for the slaughter. Over the island meanwhile reigned misrule, havoc, and rapine. Protestants were everywhere flying panic-stricken from their homes. Massacre like that of 1641 impended. There was a design of severing Ireland from Great Britian and making it a dependency of France; as, if ever it were severed from Great Britain, it would probably become. Louis, having now taken up arms against England in the cause of catholicism and kings, sent James to Ireland with subsidies and French commanders. The Celts, flocking to his standard, formed an army large but ill-armed, ragged, predatory, and tumultuous. At Dublin he found himself harassed by factions

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among the patriots like those of the Parnellites and anti-Parnellites in after days. A catholic and the enemy of a usurping king of England, he was still himself an English king, and it was with reluctance that he assented to the dispossession and proscription of his race, coupled with the suspension of his own prerogative. Nor was his the character, nor were his the manners, to win the Irish heart.

1689 In Ulster, its chief seat, the ruling race gathered in places of refuge, turned to bay, and gave memorable proof of its superiority in moral force. Sallying forth from Enniskillen, one of its last strongholds, it utterly overthrew a Celtic army at Newton Butler. But its most famous exploit was the defence of Londonderry, where it heroically held a weak and mouldering wall against a great Celtic host under French command, and still more heroically bore the utmost extremities of famine, while Kirke, coward or traitor as well as butcher, lay with the relieving squadron inactive in sight of the city. Irish protestantism has never ceased to draw proud confidence in its power from the story of the siege of Derry, or to glory in the memory of Walker, the protestant clergyman, who was the religious soul of the defence. The most vivid of narrators in our day has given immortal splendour to the story.

1689 It was some time before the force of England, troubled and divided in herself, could be brought effectually to bear on Ireland. Schomberg, William's marshal, and the first of European strategists, came over with an army. But under Stuart government the public service and notably the commissariat had become utterly corrupt and rotten. Contracts, as well as honours, commands, offices,



and pardons, had been sold in open market at Whitehall. Schomberg's army was paralyzed and wasted away by want owing to the frauds of contractors combined with the disease bred by the dampness of the climate and aggravated by the helplessness of the raw levies, though the veteran managed with his famishing and dwindling battalions to show a front which commanded the respect of the foe. At last William himself came over, and at the Battle of the Boyne, a name ever dear to Orangemen, and repeated in their songs of triumph, overthrew the army of James and entered Dublin. James, who had shown no courage or conduct in the field, fled to France to return no more. The war, however, did not end here. Again the Celts, under the French General, St. Ruth, encountered the army of William under Ginkell, and at Aghrim were again overthrown. But they redeemed their reputation as soldiers by the stand which they made at Limerick under Sarsfield, a gallant partisan leader. By a bold move of Sarsfield, William's battering train was cut off, and he was compelled to raise the siege. Whatever may have been the cause, whether he was inclined to temporize or not, he did not show the decisive vigour of Cromwell in putting an end to the war. He seems hardly to have understood the Irish question, or to have seen that it was not merely a religious quarrel which his liberal policy of toleration might allay, but an internecine struggle between the two races and religions for the possession of the land. In the end Limerick surrendered to Ginkell, while Marlborough's resistless genius completed the work. The flower of the Celtic soldiery with Sarsfield left their native land to take service in the catholic armies of the continent, in which some of them rose

high. In arms, though not in industry or political intelligence, they were an off-set for the Huguenots, whom the head of the catholic cause had driven as exiles to protestant lands.

Now came the day of retribution for all that the protestants had suffered, for the repeal of the Act of Settlement, and for the passing of the Act of Attainder. William was always tolerant, always disposed to amnesty, and would have restrained vengeance if he could. But to restrain it in this case was beyond his power. The weary and hateful story of transfer of the land by confiscation for an insurrection of race was repeated. The victorious race which had barely escaped with property and life proceeded to bind down the vanquished with iron fetters of penal law. Cruel and hateful as the penal code was, it was penned not so much by bigotry as by political and social fear. It assumed a religious form because religion was identified with race. To deprive a hostile race of all means of rising again and renewing the conflict rather than to repress a rival religion was its aim. To prevent combination among the catholics, it confined all native priests to their own parishes, while to deprive conspiracy of encouragement from abroad it banished foreign priests on pain of death. It contained provisions framed with ruthless ingenuity for breaking up the landed estates of catholics, and preventing them from acquiring free-hold property in land. It enabled and tempted, against natural affection, the protestant son to dispossess his catholic father. It forbade catholics, as the catholics in their hour of ascendancy had forbidden protestants, to have arms. It forbade them to have a horse of above five pounds' value. It prohibited them from keeping schools. To deprive

them of political power, they were excluded from parliament and from all public offices. To deprive them of social influence they were excluded from the university and from the bar. The victorious protestant reduced the catholic to a political and social pariah. The catholic, had he been victorious, would have exterminated or expelled the protestant. When he had been completely crushed, and the fears of the protestants had abated, evasion of the code began and at last the most cruel of its enactments fell into practical desuetude. The enactments against the catholic priesthood took not full effect. The priest-hunter was odious, and the priest, disestablished and poor, but preserved by his poverty from corruption, remained the guide and comforter of the vanquished Celt through the night of penal serfdom; while the people clung to the religion of their race, the efforts to convert them from which, if a corrupt and plethoric establishment made any, proved vain. The property clauses of the penal code, however, had their effect, and at last only one-tenth part of the land of Ireland remained in catholic hands. To fill the cup of bitterness to overflowing, came back the intrusive Anglican establishment with its bloated hierarchy, devouring by its imposts the substance of peasants to whom it was alien and hateful, while it could render them no sort of service; making protestantism doubly odious to the catholics; and at the same time persecuting free protestant churches, by which it was possible that something in the way of conversion might have been done. In the history of political folly and iniquity few things will be found to match the Anglican establishment in Ireland.



## CHAPTER III

### WILLIAM III

BORN 1650; DECLARED KING 1689; DIED 1702

**W**ILLIAM III., though at first he reigned in the name of his gentle partner, as well as in his own, was sole king.

William was cold in manner, though not in heart; grave, as one whose life was divided between the council chamber and the battlefield well might be; silent as his illustrious ancestor had been, and the more silent in England because he could not speak English well. As the head at once of a realm still troubled and of a European coalition, he had little time for small talk with men or dalliance with women. He had to be much abroad, and when he was at home his asthma made him a valetudinarian and a recluse, and prevented him from living in London. He withdrew to Hampton Court or Kensington, and at Westminster there was a court no more. His wife, though helpful, as well as sensible and virtuous, could scarcely make up for his social defects. A foreigner he could not help being; a foreigner among islanders; islanders, too, who had borne his fellow-countrymen, the Dutch, as rivals in commerce, little good will. He may have made a mistake in keeping his Dutch Guards. The feeling of Englishmen against the Dutch in general was an ungrateful prejudice. But with prejudice and ingrati-

tude statesmanship has to deal. William made a serious mistake in his largesses to his Dutch favourites. Nor was he always well advised either in his choice of ministers or in his attempts to retain the remnants of the royal prerogative. Still, the treatment of the deliverer by the Tory party in England, and by the vulgar generally, while he was toiling and facing the shot for the great cause, is a dark blot on the annals of the nation. Its blackness is seen by contrast with the loyalty which glows in Defoe.

Scarcely had William rid the country of the tyranny when a Jacobite party for the recall of the tyrant was formed. Its busiest agents and preachers were non-juring clergy, who, being without congregations, had all their time for politics. The country clergy generally leant to the same side, and, if not Jacobites, were Tories and enemies to the Revolution government. Addison twitted these parsons with their wisdom in holding that the church of England could never be safe until she had a popish defender. He did not see that absolutism rather than protestantism was the vital article of their creed. With the parsons went many of the squires, each of them a little autocrat in his own sphere, and, therefore, a friend of autocracy, while their jealousy was excited by the growing influence of the commercial and moneyed class, which adhered to the Revolution government and thrived by its financial operations. As war went on and war taxation increased, the squire was further estranged by the reduction of his income and the increase in the price of his wine for objects little dear to his heart. The army was sore under the sense of having played rather a sorry part, and jealous of the Dutch Guard. One regiment broke out into mutiny. The mob hated the foreigner, and it is

naturally on the side of opposition. Disappointments, national and personal, follow every revolution. The scramble for place left many malcontents. Nor could William cure in an instant the deep-seated maladies of the Stuart administration. The military and naval departments, like the rest, were rotten and full of corruption. Schomberg's army in Ireland had been ruined by the roguery of the commissary-general Shales.

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The tyrant, deposed and exiled, became an object of pity. So rapid and so strong was the reaction, that self-seeking and unscrupulous politicians deemed it for their interest to open communications with the exiled court, less, probably, with the intention of themselves restoring James, whose unforgiving temper they must have known too well, than with a view of hedging against a possible restoration. The perfidy of these men was unspeakable, and opened a revolting scene of treason, at the same time throwing back a lurid light on the public life of the preceding reign, in which they had been bred. Some of them, such as Godolphin, Shrewsbury, and Marlborough, were holding high office or command under William and enjoying his confidence while they betrayed him and the nation. Shrewsbury had signed the invitation to the Prince of Orange; so had Russell, who was also among the plotters, though it was pique probably rather than interest that led him astray. Mere pique, where there was such moral levity, would probably account for much, and had invasion been imminent, those who dallied with the fallen tyrant would very likely have ranged themselves on the national side. Sunderland, the most profligate of all the politicians, was not among the plotters. Either he deemed a restoration really impossible, or, hav-



ing been a pretended convert to Roman Catholicism and afterwards relapsed, he despaired of reconciliation with such a bigot as James. Of all the traitors, the worst was Marlborough, who, to buy a pardon from James, betrayed to him the expedition against Brest, causing thereby the failure of the expedition and the death of the gallant Talmash, its commander. No other British soldier has been guilty of a crime so foul. Excuses are vain. It is said that other traitors had given the information before Marlborough. Unless he knew it, this makes no difference; and if he did know it, he was bound to warn the government. He well deserved to be shot, or rather to be hanged. His apologists had better leave his case alone, and let his political infamy be lost, as far as it may, in his military glory. He was a man, like Napoleon, devoid of moral sense. If he ever had any, he must have left it in the ante-chambers of Charles II. But it does not follow because a man has no conscience that his heart is cold. Alexander VI. was a very loving father. Marlborough passionately loved his wife, termagant as she was. Once, to vex him, she cut off her hair, the beauty of which was his pride, and threw it in his way. He picked it up, and when he died it was found among the cherished treasures of the victor of Blenheim. The depth of Marlborough's treason William never knew; but he knew that he was treacherous, and for a time disgraced him. The king either knew or strongly suspected that there was treason all around him. Yet he shut his eyes and made use of the men, trusting that their present interest would lead them to serve him and the country well, as it notably did in the case of the prince of administrators, Godolphin. To resent conspiracy against himself William was too

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magnanimous, provided he could prevent it from hurting the state. In the case of Shrewsbury, to whom he singularly and almost mysteriously clung, his magnanimity was justified by a bitter repentance.

There is no saying what might have happened had James been a man open to the teaching of adversity, and capable of stooping to discretion. But he was in his own eyes, as his priests and courtiers had taught him, a divinity, and his hallucination was confirmed by his contact with the solar autocracy of France. He made the cause of his friends in England desperate by his manifestoes, which, instead of promises of amendment on his own part, and of constitutional government, breathed nothing but the wrath of injured majesty. The idea that the impiety of men could actually prevail against the Lord's anointed, or that a nation could live without its legitimate king, seems never to have entered his mind. His party in England being damped and broken by his folly, his only hope lay in French assistance, and against French invasion the spirit of the whole English nation, saving the most fanatical Jacobites, took arms. Russell had intrigued with St. Germain; but when he met the fleet which was to convoy James with a French army to England, he became once more an English seaman, and gained the great victory of La Hogue. The Stuart scheme of establishing absolute government and catholicism in England by the help of France would always have been defeated, when it came to the point of intervention, by the spirit of the English nation.

The first part of the reign was a period of distraction in the king's councils and confusion in parliament attendant on the final transition from the old system of the

privy council, which included men of different principles and was not connected with a party in parliament, to that of the cabinet, formed of men united in principle with an organized party in parliament as its base. William at first refused to recognize party, and made up his government of Whigs and Tories combined; like Washington, who, treating party not as a permanent force but as a transient malady, combined Hamilton with Jefferson in the administration. He had even, as king, some leaning towards the Tories as the more decided monarchists, and the better friends to prerogative, while he was harassed by the unreasonable expectations and demands of the Whigs. The consequence was discord and jarring in every department, except that of foreign affairs, which, as not being national, but European, the chief of coalized Europe kept in his own hands. Sunderland, not less shrewd than unscrupulous, having stolen back to politics and the king's ear, taught William that to give unity and efficiency to his government he must call to his councils men of one party alone. To choose between the parties was after all not difficult, since it was upon Whig principles that William had been raised to the throne, and the Whigs, however some of them might have swerved from their fidelity, were enemies of the house of Stuart. A Whig ministry, accordingly, was formed, and the Whig party in parliament was organized as its base under a junto of powerful leaders. The Tory party formed an opposition, though organized apparently with less strictness than the Whig, the agreement between the pronounced Jacobites and the general body of Tories not being complete. At the head of the more moderate section was Daniel Finch, Earl of Nottingham, an honest



man, devoted above all things to the interests of the church, who had all but joined the appeal to William, but had afterwards proposed a regency, kept clear of intrigue, and, by a distinction between a king *de facto* and a king *de jure*, enabled himself faithfully to support the new government.

Here we have the historical origin, not of party, which, besides tearing the Greek, Roman, and Italian republics, had raged in England under Charles I. and Charles II., but of party government, which has now been accepted as the regular system, not only of Great Britain and her colonies, but of other parliamentary countries, and whether legally recognized, as in America, or not, is, wherever it prevails, practically the constitution. Though from the beginning party showed itself to be only an exalted kind of faction, the system had in its origin, at least, an intelligible foundation. Between the party of the Stuarts and the party which had driven out the Stuarts, between the party of government by prerogative and the party of parliamentary government, there was a fundamental division such as might warrant a good citizen in submitting his convictions on minor points, and everything but his moral conscience, to the discipline of party till the object of the combination was secured. Burke's definition of party as "a body of men united for promoting by their joint endeavours the national interest upon some particular principle in which they are all agreed," though panegyrical, might then have had place. Deliverance from the Stuarts and their tyranny was a principle "particular" enough. But in the absence of a fundamental division party is nothing but faction, as in the sequel plainly appeared. Then the only bond is either blind adherence

to a name which sometimes remains the same while principles change, or corruption in some form. All attempts to find for the party system a permanent and universal basis in human nature fail. Human nature cannot be bisected; it varies through countless shades, and the same man who is conservative on some questions is liberal or even radical on others. As a rule, age is conservative, youth loves change; yet the spirit of reaction is nowhere so strong as in the young men of a privileged class. Burke's system requires that the members of a government should be united among themselves and divided from their opponents on some organic question. Suppose no organic question is before the country, on what would Burke's party be based? But even suppose that such a question is before the country, ought the nation to lose the services of its best financier or its best war minister because he does not agree with the home secretary or the lord chancellor about the suffrage or the church establishment? Godolphin, as an administrator, was invaluable; but on organic questions he can scarcely be said to have had any principles at all; his paramount principle was self-interest; his only other principle was loyalty to his department. A party government is the government of only half the nation. It can appeal to the loyalty of only half the nation. The function, it may almost be said, of the other half is to oppose, traduce, thwart, and embarrass the government. In foreign policy this is particularly fatal. A perpetual strife of passion, a civil war of hatred, intrigue, and calumny, with their effects on national character and the dignity of government, are the necessary accompaniments of the system. Legislation is regulated by party tactics, not by a calm view of public

good, and the party which is out of power and struggling to get back to it makes reckless promises of change. All this will presently appear. In the absence of organic questions the only valid plea for the perpetuation of the system is the necessity of an organizing force to define the issues, nominate the candidates, and concentrate the votes at elections, as well as to prevent the House from becoming a chaos. The machine of elective government must have a motor, and the motor hitherto in England has been party, in the absence of which there has been a reign of cabal. What the Instrument of Government would have done, fate forbade us to know.

The weakness of the system was seen at once by a keen eye and exposed in immortal satire. The parties of the Tramecksan and Slamecksan in Swift's Lilliput, distinguished only by the high and low heels on their shoes, yet in their struggle for place too bitter to eat, drink, or talk with each other, are the Tories and Whigs, the high churchmen and the low churchmen, of this and the succeeding reigns. To give full piquancy to the satire we have only to remember that the satirist himself was a partisan, political as well as religious, and that his bitterness was by no means diminished when he had changed his party.

In its natal hour English party produced its typical man in the person of Wharton, the manager of the Whigs, of whom Swift said that he was the most universal villain that he ever knew. Wharton, as he is described to us, was in private life a shameless profligate, a seducer, a duellist, a scoffer; in public life he was unscrupulous and without conscience in corrupting others, though, himself loving victory more than money, he lav-



ished his own fortune in the game. His one black virtue was intense devotion to his party. He was an unrivalled master of all the arts of political management and electioneering, full of evil energy and daring, and, in spite of his vices, personally popular to a wonderful degree. In him at once appeared the consummate "boss," and the herald of all "bosses" to come.

Wharton was one of a junto of four who managed the Whigs. The other three were Somers, Russell, and Montagu. That Wharton and Somers should be political partners was strange, as strange as it would have been if Aristides had entered into political partnership with Themistocles. For Somers is presented to us as the perfection, not only of wisdom, unflinching and serene, combined with the highest culture, both political and general, but of spotless purity and of every public virtue, so that we feel it almost a relief to the strain on our powers of admiration when we are told that in private he was liable to amorous weakness. Russell, the victor of La Hogue, had little besides that victory to exalt him. He was turbulent, wayward, and treacherous; he had been implicated in intrigues with St. Germain. Montagu, with a high university training, destined originally for the church, and happily diverted from it into public life, was the great master of finance, in which he had few peers. As a statesman he kept up his university tastes and studies, patronized men of letters, and himself wrote verse. The union of statesmanship with literary tastes and the cultivation of the friendship and support of literary men by statesmen are features of this age. Statesmanship might gain breadth and liberality from the union.

The struggle between political parties brought with it an

aftermath of the Revolution. There had hitherto been no fixed limit to the life of parliaments; they had sat as long as pleased the king. Charles II.'s first parliament had sat for eighteen years. The representation was thus divorced from the constituencies, divested of the sense of responsibility, and exposed to court corruption. Tenure during the pleasure of the court was corruption in itself. But even Tories might think with bitterness of the Long Parliament. A fixed and limited term was essential to  
1694 representative government. A Triennial Act was passed providing for the election of a fresh parliament every three years. Radicalism looked back to it with wistful  
1716 eyes when by a subsequent Act the three years had been made seven. There was no rectification of the constituency itself such as had been embodied in the Instrument of Government. But it is truly said that the abolition of the petty boroughs would have inclined the balance to the Tory side, inasmuch as it was in those boroughs that the leaders of commerce and finance, who were Whigs, as well as the nominees of the government, found seats.

The Triennial Bill was traditionally a Whig measure. From the side of the Tories, as the opposition, came a  
1694 Place Bill, excluding from the House of Commons all who held places of any kind under the government. The effect of this sweeping measure upon parliamentary government in England would have been like that which has been produced in the American Republic by the exclusion of the members of the cabinet from Congress. There would have been nobody to lead for the government or to shape and control legislation. In the case of England the leadership and the centre of parliamentary power would probably have been transferred to the House of Lords.

Of a reform excluding the minor placemen who swarmed in the House of Commons there was great need. In time it came. But unmeasured purism would have purged the House, not of corruption only, but of organizing force and life. The Lords introduced an amendment allowing a man who had accepted a place to be re-elected, thereby breaking the force of the Bill. The king nevertheless vetoed. He was bitterly convinced that the government could not afford to lose power.

Another bill, manifestly of Tory origin, as framed in the interest of the squires against their hated rivals, the leaders of commerce, was that which required the possession of land to a certain value as a qualification for membership of the House of Commons. This, after passing the House of Commons, where the squires predominated, found for the time its grave in the House of Lords. To exclude all but landowners from the borough seats might suit the small neighbouring landowner, but did not suit the territorial magnate who wished to nominate his kinsmen or dependents. 1696

The Lords, however, were as a House at this time Liberal in their political and religious tendencies compared with the squires of the lower House. They lived in the great world, conversed with statesmen, and had access to political information which could find its way to the manor house only in the shape of the weekly news-letter. Some of them also were still bound to the protestant reformation and the political party associated with it by hereditary ties. Peerages and promotion in the peerage were still in the gift of the Revolutionary crown. The bishops too, appointed by a king and queen who sat at the feet of the Latitudinarian Tillotson, were more



Liberal at this than at any other time, and their Liberalism could not fail to be confirmed by the slanderous abuse with which they were assailed by the coarse bigotry of the Jacobite parsons. That the upper House of convocation was more Liberal than the lower House, had appeared in the debates on Comprehension. Addison's Tory and high-church innkeeper, who has not time to go to church, but has headed a mob for the pulling down of two or three meeting-houses, thinks his county happy in having scarce a Presbyterian in it except the bishop.

The Commons, becoming intoxicated by their increase of power, more than once tried a trick which if it had succeeded would have almost extinguished the controlling authority of the upper House. They tacked a Bill which they wished to force upon the Lords to a money Bill, so that the Lords should be forced to pass both or stop the supplies. But the trick was too shameless; after a few attempts it was laid aside and the House of Lords remained on general questions a real branch of the legislature, though necessarily weaker than the House which held the purse.

1701 The temper of the House of Commons was shown again in the case of the Kentish Petition. The House, at that time Tory, was delaying supplies and crippling the government in preparation for war. A petition was presented to it, signed by the justices, grand jurors, and a number of free-holders of Kent, praying it to turn its loyal addresses into Bills of supply. The petition was not less constitutional than that of the seven bishops to the king. But the many-headed autocrat, transported with despotic ire, voted it scandalous, insolent, and seditious, and committed to the Gate House the gentlemen by

whom it had been presented. Public opinion revolted, the Lords passed a strong resolution, and the Commons had to beat a retreat.

On the Triennial Bill, as well as on the Place Bill, the king put his veto, though in regard to the Triennial Bill he at last gave way. He clung to what remained of the royal prerogative, not so much from personal love of power as because he wished to wield the full force of England in the mortal struggle with France. Neither he, however, nor those with whom he contended had as yet distinctly realized the fact that the sovereign power, executive as well as legislative, had passed, the legislative power directly, the executive power indirectly and imperceptibly, from the crown to the House of Commons.

Swayed to and fro between the parties, William found himself for a time in the hands of Danby, now Marquis of Carmarthen, who set about managing parliament in his own way, William sadly yielding to the necessities of a corrupt generation. Trevor, an old parasite of Jeffreys, being made Speaker of the House of Commons, kept open a regular office for bribery of members. This is rightly set down as an incident of the transfer of power to the Commons. In Tudor times, the crown being absolute, there was no occasion for bribery; opposition was not bribed but coerced; the member of the House who attacked the government was sent to the Tower. Corruption, however, has no fixed seat and is protean in its forms. Much depends upon the morality of the age. But under the party system, when there is no great question of principle to bind men to a political standard, other means of attaching them will be found; if they are poor, money or a place; if they are

rich, a title, a ribbon, or an invitation to a court ball. In time, the demagogue who wants to get himself a following will learn to corrupt whole classes by legislative bribes. The publication of debates and division lists may, as is said, have abated the evil in parliament, but failed to prevent its existence elsewhere.

About this time came, noiselessly and almost in disguise, a momentous and auspicious change. Owing to a blunder made by a ridiculous censor, the censorship of the press lapsed and was not renewed. The reasons given for deciding against its renewal and thus setting the press free were not those of the "Areopagitica." They were of an administrative kind, touching only on the futility of the Act and the difficulty connected with its operation. It may be surmised that each of the parties, now definitely arrayed against each other, longed for perfect freedom to assail its adversary in the press. Whatever the motive, the effect was not less great. It has been remarked by one who had carefully studied the political literature of the time, that the violence and scurrility of political writing, instead of increasing, were diminished when the curb was removed. He justly observes that what was illicit was sure to fall into the worst hands. Nothing worse, assuredly, than the Jacobite libels against William and Mary in the earlier part of their reign could have been produced under any state of the law. A free press, however, was still exposed to the onslaughts of party vengeance, which could expel Steele from the House of Commons for a fair party pamphlet, order a pastoral of Burnet to be burned by the public hangman, and put Defoe in the pillory for what would now be deemed a harmless squib.



There yet remained a rule of the common law restricting the publication of news. But this was allowed to sleep, the general appetite for news being too strong to be restrained; and amidst the storm of a party conflict the newspaper press, born once before to a short life, was born anew. In its cradle it was feeble and insignificant, its editorials being slight and occasional; and, unlike its future self, it was timorously anxious to be on the government side. But the germ and assurance of its coming power lay in the union of editorial comment with the political news of the day. Everybody must have the news, and with it everybody reads the comment, which, published apart from the news, few or none would read. The combination is natural, yet the power derived from it is partly factitious, though of that power the world is full.

For some time, however, the party war outside parliament will be a war not of journals but of pamphlets. On one side we shall have Addison, with his "Tatler," his "Spectator," and his "Freeholder," polished, playful, and courteous; Steele whom some think the peer of Addison; and the homely vigour of Defoe. On the other side we shall have Swift, strangely combining some of the highest gifts of human genius with the malice as well as the filthiness of the ancestral ape. Swift's dominant passion was clerical hatred of dissenters. When the text of his sermon is brotherly love, hatred of dissenters is still the theme. He preached, and, as the writer of "The Day of Judgment" was evidently an unbeliever himself, practised political conformity to the state religion.

The ascendancy of the Whigs, with the support of the commercial and moneyed classes, during the middle part

of the reign, is marked by the great achievements of their financial minister, Montagu, who restored the currency, funded the debt, founded the Bank of England, and reorganized the East India Company. Financiers, who still tamper with inconvertible paper and bimetallism, may profit by the study of his example. The coin hitherto had been unmilled, and the trick of clipping it had been practised till much of it was far, some of it fifty per cent., under due weight. Of course, the good coin took flight, and all the operations of commerce and wage-paying were disturbed. Montagu, with Newton at his side, undertook  
1696 the perilous work of restoration, and; as he adhered steadily to public honesty and sound principle, he carried the nation with him, and his operation, after a fearfully anxious crisis, was crowned with complete success.

1693 In funding the debt which war expenditure had created Montagu only followed the example of Holland. Here again he was perfectly successful. Nations, like men, must borrow in emergencies; nor is it unfair to throw upon posterity a share of so extraordinary a burden as the defence of Europe against Louis XIV. But facility for running into debt is not, as optimism seems to fancy, an unmixed blessing. It brings with it, as before long appeared, recklessness of expenditure, and especially of expenditure in war. It absorbs capital which would otherwise feed productive enterprise. If the debt were what the optimist pictures it, we should gain by increasing it without limit. Some have actually taken it for so much wealth and have proposed to base a paper currency upon it. That it called into existence gambling speculation, as the Tories alleged, has been disproved by the evidence of gambling speculation before the establishment of

the Funds. Yet it must be attended by stock-jobbing, and stock-jobbing is an evil. It has had an incidental use as a weather-glass of national prosperity, notwithstanding the saying of one who was vexed by its fluctuations that the Funds were the greatest fools in Europe. Montagu deserves, at all events, the credit of adherence to principle. He issued no greenbacks; if he had he would have been taking up a forced loan, for which he must have paid dearly by loss of credit at once and by the rate of redemption in the end. His only lapse was the admission into his first funding scheme of the spirit of gambling under the form of a tontine. His other financial measure, the foundation of the Bank of England, was not less successful than the first two, and all the apprehensions of a great and unconstitutional power felt or affected by the opposition proved groundless and passed away. They recurred with disastrous effects in the United States when Jackson proclaimed political war against the Bank. 1694

The last of Montagu's triumphs was the foundation of a new East India Company, which he consolidated with the old company on a better footing. A part of the aftermath of the Revolution was the withdrawal from the crown of the power to grant monopolies of trade, of which the usefulness ceased when, commercial enterprise becoming less dangerous and having no longer to go forth armed for its own protection in unfriendly waters, the stimulus of privilege was no longer required. Foreign trade was henceforth free to all. The old East India Company, a dark, exclusive, and unregulated power, had sustained its privileges by corruption, of which the president, Sir Joshua Child, had been the consummate master; and it had played no small part in the pollution of public life. 1698



1695 Old Danby, by this time created Duke of Leeds, ended a chequered career of patriotism and corruption by being found guilty of the acceptance of an East Indian bribe. The new company was organized by Montagu under parliamentary auspices and regulations in connection with the government.

From the loans, the funded debt, the military and naval contracts, the creation of the Bank of England, and the foundation of the new East India Company, sprang a money power which of necessity allied itself closely with the Revolution government, since a restoration would have stopped financial operations and contracts, ruined the Bank, and probably passed a sponge over the debt. Addison's allegory depicted the fainting of Credit and the shrinking of her money bags in the Bank hall on the entrance of the Pretender. The government thus gained a strong support, while a new political force came on the scene. But the moneyed men had to make their way into parliament by buying the constituencies of the small boroughs; and thus the money power, while it saved the Revolution government, propagated parliamentary corruption. By ousting the influence of the neighbouring squire from the small borough it of course incurred the jealousy of his class and made him the more a Jacobite.

The hero meanwhile was facing death on fields of battle for the independence of England and of all nations, a noble contrast to his antagonist, the enshrined grand monarch of Versailles. William's main object had been not to make himself king of England, but to bring England into line as a member of the great European confederation against French aggression. Of that confederation under his leadership England and Holland

were now the soul. As a diplomatist, the chief of a motley coalition full of jealousy, self-seeking, and fractiousness, including the cumbrous majesty of the empire and the imbecile pride of Spain, William was superb. As a general he was not first-rate, and for some time he had to contend against first-rate generalship, as well as against armies better trained and not of motley nationality, on the French side. At Steinkirk he suffered defeat, and a worse defeat on the terrible day of Landen. But from each overthrow he rose indomitable, repaired his losses with wonderful rapidity, and upon the whole held the ground which a greater commander coming after him was to turn into the field of victory. At last, the despotism of Louis blasted by its withering influence in the military as in other spheres the genius which it had inherited. The balance began to turn and William took that great prize of strategy, the fortress of Namur. Earlier in the struggle the English seaman had shown his quality, and, though at Beachy Head disgraced through the fault of his superiors, he won at La Hogue a victory splendid in itself and hailed by the nation as the first great triumph over France since the day of Agincourt. The royal navy, as a regular profession, a great national institution profoundly affecting the national character, and the trident of maritime empire, might almost date its history from that day.

Though parliament sometimes had tried William's patience to such an extent that he more than once meditated returning to Holland, the nation on the whole had shown that its heart was in the war, and, like the kindred republic, its partner, had presented the energy, resolution, and resource of a free commonwealth in admirable

contrast to the bearing of the great monarchies with which the commonwealths were allied. The nation had good reason for its zeal. This war was a struggle for the independence of nations against a power of rapine, despotism, and bigotry combined, which, though sublimely gilded, was hardly less hostile to the best interests of civilization than that Mahometan power which, by its inroads seven centuries before, had united Christendom in the crusades. The French aggressor, indeed, notwithstanding his persecuting catholicism, had Islam for his ally in his attacks on the rest of Christendom. The  
1697 treaty of Ryswick, following the taking of Namur, was on the whole, thanks to William's diplomatic force and wisdom, a treaty of peace with honour.

The hour of victory and of public joy was to William personally the hour of mourning. A few months before, he had been carried in convulsions from the death-bed  
1694 of his wife. Mary, as regent in her husband's absence, had played her part well, and her tender and graceful manners had throughout been a great support to her husband on his weakest side. She had influence in the appointment of bishops, and Tillotson was the primate of her choice. Her position on the throne of a deposed father was painful; most painful when that father and her husband met in arms. She was called a parricide and "Tullia" by Jacobites, of whose obscene ravings against her character and that of her husband history takes little account. Greenwich Hospital bespeaks her sympathy for  
1696 English seamen, and is a superb monument of her virtues as well as of the valour which won La Hogue. William can hardly be blamed if, after her death, his heart turned more than ever to the Dutch friends in whose attachment



alone, to the discredit of Englishmen, he could perfectly confide.

It might have been thought that a good peace would strengthen the Whig government; but the next general election showed the tendency of the party system to violent and incalculable oscillation; it went against the Whigs. The danger from abroad being over, home discontents and dissensions could be indulged with freedom. Taxation had been severe, the debt was heavy, and the squires had been angered by the failure of their Land Bank, a chimerical scheme devised for their special benefit in opposition to the Bank of England, as well as by taxation and the political encroachments of the money power. Harvests had been bad, and the blame as usual was laid on the government. Tories, and not Tories alone, attacked the standing army, which had been the dread of the country gentlemen since the days of Cromwell, and of the whole nation since the camp at Hounslow. The case was entirely altered since the army had been placed under the control of parliament, both as paymaster and as arbiter of the Mutiny Act. But this the common intellect failed at once to perceive. In vain Somers strove by skilful pamphleteering to convince the people that in face of the continental armies the nation could not be safe without regular troops, and that the militia on which patriots relied, whatever might be its native valour, would not stand against trained soldiers. In vain he cited history and showed how the best of all militias, that of ancient Rome, had gone down before the trained mercenaries of Hannibal. In vain William, touched in his tenderest point, exerted all his influence to preserve his army. The most that could be done was to preserve it

1699 on a greatly reduced scale. All the men were to be natives. William was compelled to dismiss his cherished Dutch Guards, who departed with the dignity of veterans, amid some late expressions of compunction from the nation which they had come to save. Marlborough, for his own purposes, had joined in the agitation.

Nobody yet clearly understood the new machine. The ministers, not being conscious that they held their offices no longer of the crown but of parliament, stuck to place in spite of an adverse majority in the House of Commons. The majority, instead of passing a vote of want of confidence or, in the last extremity, withholding the supplies, attacked the characters of the ministers with the slanderous malignity of faction. Montagu, by greediness and by upstart show and arrogance, had given his enemies a handle. Somers had given none. Yet an attempt was made to blacken the character of this illustrious and incorruptible man, and to drive him from office by accusing him of sharing the gains of a pirate. A viler attack still was made by the Tories on Spencer Cowper, a Whig, rising at the Bar, and a destined judge. He was accused of having seduced and murdered a young Quakeress, who had drowned herself for love of him. At the trial sailors were brought by the prosecution as experts to prove that the bodies of suicides never floated. Science, following them in the witness-box, rejoined that it was the general belief of these nautical experts that whistling would raise the wind. Toryism narrowly escaped, by the acquittal of Cowper, the guilt of judicial murder.

A subject on which the opposition had unfortunately a much better case was that of the enormous though over-

stated grants of forfeited lands in Ireland by the king to his Dutch favourites, and not only to those who had merit, such as Portland and Ginkel, but to the Countess of Orkney, who had less than none. The legal right of the crown to grant away the lands could hardly be disputed; the moral right could not be maintained. William was unable to prevent the appointment of a commission of inquiry and resumption, which in its report was hurried, as might have been expected, by party violence, beyond the mark of justice. 1699

The early death of the Duke of Gloucester, Anne Stuart's son by her husband Prince George of Denmark and heir after his mother to the crown, rendered necessary a resettlement of the succession. By the Act of Settlement the crown was given after Anne to the protestant Sophia, Electress of Hanover, granddaughter of James I., and her line, being Protestants, to the exclusion not only of the house of Stuart, but of the Roman Catholic house of Savoy, which came before the house of Hanover in blood, and has some fantastic adherents even at the present day. This Act, perpetuating the Revolution monarchy and once more setting aside legitimacy and divine right, was passed under the pressure of necessity by the Tories, then in the ascendant in parliament, some of whom must have looked askance at their own work. They indemnified themselves by the addition of articles expressed as legally taking effect only with the new limitation of the crown, but morally glancing at Dutch William. The king is to join in communion with the church of England. The nation is not to be bound to go to war for any of his foreign dominions. He is not to go out of the realm, as William had been doing, without the consent of parlia- 1701



ment. He is to act always with the advice of his responsible privy council, not, as William had been acting, with the advice of an irresponsible cabinet, or, in making treaties, by himself. No foreigner, though naturalized, is, like William's Dutch friends Bentinck, Earl of Portland, and Keppel, Earl of Albemarle, to be a member of parliament, hold office, civil or military, or receive grants of land from the crown. No holder of place under the crown or pensioner is to be capable of sitting in the House of Commons. This prohibition revives the defeated Place Bill. The article calling again into life the old privy council was speedily repealed, while that excluding place-men from the House of Commons was watered down to the requirement of re-election on acceptance of place. There are two other articles, one already noticed, enacting that the commission of the judges shall be during good behaviour, the other forbidding a royal pardon to be pleaded in bar of impeachment, which, though dictated perhaps by the same jealous opposition to the Revolutionary crown, may be numbered among the good fruits of the Revolution.

The king's popularity was revived by a plot against his life which put all that was manly or moral in the nation on his side. There seems to be no doubt that James was privy to the plot or that it had his approval, conveyed, of course, in language vague and guarded. Nor is there any doubt that Louis connived and was preparing to take advantage of success. Neither of them was the first religious king or the first eminent champion of the church who employed assassins. Philip II. had done the same.

It was in connection with this plot against William's

life that the ordinary course of justice was for the last time superseded by an Act of Attainder. Two witnesses were required by the treason law. In the case of Sir John Fenwick, one of the two had been spirited away, and the Act of Attainder was passed in effect to cure the flaw. Neither of the evidence which the witness would have given, nor of the guilt of Sir John Fenwick, was there any doubt; but justice must rejoice that this supersession of jury trial by an Act of Attainder was the last. That in a country heaving with conspiracy, full of traitors who were inviting foreign invasion and hatching plots against the life of the king, there should be suspensions of the Habeas Corpus could shock no friend of liberty, though it might enrage friends of treason and murder. An association for the protection of the king's life, like that which had been formed for the protection of the life of Elizabeth, was signed by all the members of the House of Commons.

1696

At the close of the reign the war cloud, which had lifted after the treaty of Ryswick, again settled down heavily upon Europe. The male line of the kings of Spain had ended in a childless cretin. The Spanish monarchy comprising in Europe, besides Spain, the Kingdom of Naples and Sicily, the Duchy of Milan, and Sardinia; in Asia the Philippines; in the New World all Central America and all Southern America except Brazil and Guiana, with Cuba and other West Indian islands, was about to be left without an heir. The succession was thrown for settlement on the councils of Europe. A case for European settlement it was, there being among the members of that motley and scattered empire no national unity to be respected, while the danger to the community of nations

from leaving the question to be decided by a general scramble or by French ambition was manifestly great. Especially great was, or naturally seemed, the danger of the union of the French and Spanish monarchies in the rapacious and domineering house of Bourbon, to which, by the marriage of Louis XIV. with a Spanish princess, the vast heritage would have gone had the claim not been barred by her renunciation. Experience, it might be said, showed that family connection by no means entailed political union. But in this case the weakness of Spain would be too likely to make her a vassal of France. The cretin being morally incapable of making a will, to leave the decision to him would have been to leave it to intriguing priests and women. Therefore when his death was near, William leading the way, a partition treaty had been made, dividing the Spanish heritage among the powers and assigning Spain itself, with the Indies, to the young Electoral Prince of Bavaria, who stood in the line of succession. This arrangement would perhaps have been allowed to take effect, and the peace of Europe might have been secured. But unfortunately the Electoral Prince died. A second partition treaty was then made, giving Spain, the Spanish Netherlands, and the colonies to the Austrian Archduke Charles. Soon the flickering ray of life in the Spanish king expired, and it was then found that a will had been made by those who had him in their hands, and who were under French influence, naming Philip, Duke of Anjou, grandson of Louis, his heir. Louis had promised on his honour, on the word and faith of a king, and had sworn upon the cross, the Holy Gospels, and the Mass-book, faithfully to observe the renunciation. But on receiving news of the bequest, he gave his



plighted honour and his oath to the winds, and presented his grandson to his court as king of Spain.

The English people, weary of war and laden with debt, might not have been willing to take arms again for the maintenance of the balance of power. They were more nearly touched by the aggressions of Louis in the Netherlands, where he was seizing Barrier fortresses and expelling Dutch garrisons in the name of his grandson, threatening thereby the commercial interests as well as the one sure ally of England. But Louis took another step which made war inevitable, and put his great enemy once more at the head of a united and enthusiastic nation. James II. died at St. Germain. The wisest counsellors of the French king dissuaded him from recognizing the son of James as king of England. Louis's own judgment agreed with theirs. But at his side was a priest-ridden woman. At her instigation, it seems, Louis recognized James's son, the pretended Prince of Wales, as king of England, offering to England an intolerable insult and virtually declaring war. Against the attempt to impose a king upon it the spirit of the nation once more rose, and an election gave a great majority to the Whigs, who were the party of war. An Abjuration oath renouncing the Pretender was imposed on the whole governing class. But William's ear could no longer hear the trumpet call. He was already sinking beneath disease and toil, when his horse, putting its foot into a mole-hole, hastened his end, and the conduct of the French war passed, with the leadership of Europe, into other hands. The Jacobites might show what they were by drinking to the mole. But the work of the hero had been done. England and Europe were free.

## CHAPTER IV

ANNE

BORN 1665; SUCCEEDED 1702; DIED 1714

THE reign of Anne has been called the Augustan Age of England. There is a likeness. Both were ages of calm, self-complacency, and jubilant literature, after civil storms. War there was during the reign of Anne, but it was far away, glorious, seen only in processions of thanksgiving for victory, felt at worst in the increase of taxation. Besides its literature in the persons of Pope, Addison, Swift, Steele, Defoe, the reign had its science in the person of Newton, its philosophy in that of Locke, its scholarship in that of Bentley. It had its architect in the builder of Blenheim, a palace in majesty whatever may be said of the style. Its statesmen were literary and patronized letters. It was an age stately, refined, picturesque in a formal way, so far as the higher class was concerned. But beneath the rather artificial brilliancy of the surface lay much that was far from brilliant: coarse excesses, savage duelling, nightly outrage of young rakes styled Mohocks on the streets, and among the common people barbarous habits, brutal sports, crime prevalent, ill-repressed by the police, and savagely punished.

Queen Anne was virtuous, good-natured, well-meaning, dull, and weak, though obstinate when the fit was on her. As a Stuart, though not the heiress by divine right, she

was accepted as half legitimate by the Jacobites. She touched for the evil; among others the boy Samuel Johnson, in whose case the miracle did not take place. She was at heart a Tory, or rather a high church-woman, her strongest sentiment being attachment to the Church of England, to whose clergy her accession was a new summer after the winter of Whig Revolution. Her piety restored to the church the First Fruits which Henry VIII. and afterwards Elizabeth had seized for the crown. 1703 There was joy in the cathedral closes. Anti-puritan may-poles went up by scores. Clarendon's "History of the Rebellion" was brought out, with its preface telling the queen, whose heart was open to such teaching, that the church was the great support of the throne, and that to hurt the church was next door to treason. Anne's husband, Prince George of Denmark, was a toper and a cypher. Their children did not live, and Jacobitism might suspend its conspiracies till her demise all the more willingly, as she was likely from family feeling to favour the succession of her Stuart brother. For the present, however, the high church queen was completely in thralldom to Marlborough's imperious wife, who called herself a Whig, but was simply for herself and Marlborough. They corresponded under the familiar names of "Mrs. Morley" and "Mrs. Freeman," but their friendship was the submission of the weak.

Marlborough now finds the field of his ambition. As the head and the general of the Grand European Alliance against France he takes the place of William. He for the present is king. His prime minister is Godolphin, whose financial ability provides the sinews of war and the subsidies for hungry allies.



The House of Commons is still Tory and High Church, while in the House of Lords a Whig majority is led by Somers and Wharton, a Tory minority by Nottingham. Toryism in the House of Commons falls upon the non-conformists with an Occasional Conformity Bill. Non-conformists were in the habit of eluding the Corporation and Test Acts by taking the sacrament in an Anglican church as a qualification for office and then going back to the meeting house. High Church Tories did not object to the profanation of the sacrament, but they did object to letting the non-conformist thus slip his neck out of the yoke. The House of Commons passed a Bill punishing with deprivation and fine whoever after taking the sacrament for office should again attend a meeting house. The Lords threw out the Bill, Liberal bishops distinguishing themselves in opposition. The Commons then tried to force it through the Lords by tacking it to the land tax, but again for the time they were foiled.

Tories, the Jacobite wing of the party especially, were at this time ready enough to loosen the fangs of the treason law. The prisoner had been allowed counsel; an Act was now passed allowing his witnesses to be sworn. Hitherto the witnesses for the crown only had been sworn, so that the evidence for the prisoner was disrated; an iniquitous absurdity for which only the legal casuist and idolater of the common law could find a reason.

The overbearing temper of the newly enthroned Commons was shown in the case of the men of Aylesbury, which brought the House into sharp collision with the Lords. The returning officer at Aylesbury had arbitrarily refused the votes of some electors, one of whom

brought an action against him at common law. The case went up by writ of error to the Lords. The Commons took fire, denied the common law right, and declared that they alone were judges of elections and of the suffrage. The Houses were falling foul of each other when prorogation put an end to the strife. Substantially the Lords were justified. An elector had a legal right which could not be abrogated by the vote of a single House.

To extend their privileges, personal as well as political and judicial, was the strong tendency of the Commons at this time. They would have exempted not only themselves, but their servants and their property to a great extent from the jurisdiction of the common law. What had once been the protection of tribunes was becoming the prerogative of tyrants. Who can be trusted with power?

Marlborough, if he had any political principles, was a Tory. He would probably rather have served, and he could more fitly have served, a despot than the commonwealth. Of Tories he first formed his ministry, with Nottingham as secretary of state; the queen also strongly inclining to that side. But his theatre was the field of the French war. The Tories were against the war and inclined to the side of France, whence they hoped to receive the heir of divine right. The Whigs were against France and in favour of the war. Hence Marlborough, like William, was forced to drop the Tories and take in Whigs. This he did by degrees, dropping first strong Tories like Nottingham, afterwards moderate Tories, such as Harley and St. John then were. At last of the Tories the indispensable Godolphin alone remained.

From the party strife all eyes were turned to the field on which the battle between French domination and the independence of Europe was to be fought. Marlborough had then taken the place of William as the head of a Grand Alliance, comprising the Empire, Prussia, Hanover soon to be linked with England, the Palatine, and Holland, to which presently went over Savoy. The strength of the alliance, its financial strength especially, lay in the English and Dutch commonwealths. The Empire was a sprawling giant harassed in rear by Hungarian revolt and Turkish inroad. Default was made in contingents; there was always craving for subsidies; jarring interests and pretensions were always giving trouble; while on the side of the enemy was perfect unity of counsels and forces. In Holland, the Orange supremacy having ended with William's death, the government had passed into the hands of leaders who thought more of their own security than of the common cause, and sent field deputies to control and hamper the general, thereby robbing him of more than one victory. Marlborough's serenity was sorely tried, but never failed. In diplomatic address he was William's equal, while he was far superior as a general; and he had one resource which William had not: he could flatter, and his flattery was superb. The new-made and barely authentic king of Prussia he won by handing his Majesty the napkin. The erratic Charles XII. of Sweden, who seemed at one time to mean mischief, was propitiated by assuring him that Marlborough would gladly serve in a campaign under so great a captain to perfect himself in the art of war.

The army, of which Marlborough took the command, was as motley as the alliance. His English troops were



a fraction of it, and England must not claim all the laurels. Tory jealousy had reduced the standing army by statute to seven thousand, really perhaps to ten thousand, at the end of the last reign. The condition of the English people was such that volunteer recruits were dear. Conscription was suggested, but on this parliament could not venture. Recourse was had to enlistment from the gaols and impressment of tramps. The gaol-birds and tramps under a great commander seem not to have made bad soldiers; Marlborough could depend on them for difficult manœuvres as well as for bravery in action. After all, the tramp, and perhaps even the petty criminal, may be a man out of whom the nomad has not been thoroughly worked and who finds his wandering home in the camp.

The French king struck at Vienna, the road to which was opened to him by Bavaria, whose past treasons to the father-land it took all her loyalty in the late war with France to redeem. The Empire was in extreme danger. Marlborough, a part of whose difficulties was the necessity of concealing his plans from his own employers, managed to give the trembling Dutch the slip, traversed Germany, was joined by his true brother in arms, Eugene, with an imperial army, and at Blenheim confronted the French and Bavarians under Tallard, Marsin, and the Elector. Early in the morning of the 13th of August, 1704, Tallard wrote to his king that the army of the allies was before him, predicting the direction of its further march. It would march no further that day; and in the evening Tallard found himself with two other French generals sitting as prisoners in Marlborough's coach, while of his army thousands strewed the field of battle, fourteen thousand

of his infantry, whom he had jammed into the village of Blenheim, having been there surrounded, were prisoners, and of his cavalry a great number were in the Danube. The victory was complete. Its effect was decisive. Europe was set free from French domination, and was no more to be the pedestal of the Grand Monarch. Alone Marlborough did it, and nothing in military history is more striking than the confidence with which, at the head of a motley army used to defeat, he attacked in their chosen position the victorious veterans of France. To compare generals is difficult. The force to be overcome must be considered as well as the overcoming force. Hannibal beat militia with mercenaries inured to war. Napoleon beat Austrian and Prussian armies, then spiritless machines, with soldiers full of the fire of the Revolution. Marlborough beat the victorious veterans and renowned marshals of France with an army to which he alone could have given unity and spirit. Of what other general, in modern history at least, can it be said that he never fought a battle which he did not win, or besieged a place which he did not take? Nor did he ever fail in an operation unless it was through the fault of the timorous traders or the intractable potentates with whom he had to act. No commander ever more completely clipped the wings of victory. Addison's lines, describing his calmness and serenity amidst the rage of the doubtful battle, tell no more than truth. With all his meanness of character Marlborough is one of the most superb figures, if not the most superb, in the annals of war.

1707 Soon after Blenheim, and partly in consequence of it, the ministers at home gained a victory still more glorious, more fruitful, and more lasting. They effected the union

of England with Scotland. How beneficent the work of the Commonwealth and the Protector had been appeared by what followed from its reversal. Scotland had been the scene of all that was worst in the tyranny of the Restoration. She had been a satrapy governed by a council of tyrannical and persecuting jobbers with thumb-screws and dragonades. Courts of justice had relapsed into corruption. The heritable jurisdictions had been restored. The national religion had been driven to the hills and the wilds. Anglicanism, hateful to Scotland in itself and because it was English, had been forced upon her. Her martyr peasants had been shot down by the troopers of Graham of Claverhouse, Turner, and Dalziel; her martyr women had been tied to stakes on the seashore to be drowned by the tide. When the Revolution came, theocratic Presbyterianism had resumed its sway, narrowed and embittered by persecution. The Episcopal clergy had been rabbled and Episcopacy had been persecuted in its turn. The dark theocracy had put to death a boy of eighteen for having spoken against the doctrine of the Trinity, refusing even a respite to his penitent prayer. The loss of free trade with England and her colonies had ruined Scotch commerce, and in place of the prosperity which had marked the reign of the great usurper, penury, with its attendant barbarism, prevailed. The habitations of the people were poor, their manners coarse and unclean. Vagabonds swarmed, and the great Scotch patriot, Fletcher of Saltoun, could see no remedy for the pest but slavery. The Highlands, Cromwell's fortresses having been dismantled and his arm withdrawn, had relapsed into lawlessness and heathenism. They were again the lair of



predatory clans which raided on Lowland fields and herds. The clans had been brought down by the persecuting government as a scourge upon the covenanting Lowlands. William had earnestly desired a union, and with that view had done his best to prevent the continuance and deepening of the religious chasm which divided the two nations from each other. But instead of union the relations between the two kingdoms had been growing more strained than ever. The attempt of the Stuarts to force Episcopacy on Scotland had inflamed the antagonism of the churches. The terrible tragedy of Glencoe, though not only a purely Scotch but a purely Highland affair, and at the time unnoticed, had now, because the unlucky warrant had been signed by an English king, become a crime of England against Scotland. To give Scotland back her commerce and relieve her of her penury, Paterson, a clever but hair-brained adventurer, had devised the Darien Company, which was to bring to her wealth untold, irrespectively of her natural resources or industry, by occupying the Isthmus of Darien and there handling the trade of the golden east. Under the influence of the dazzling vision, Scotland went wild. Spanish hostility combined with the pestilential air of Darien and the inherent folly of the enterprise to produce a miserable failure. But enough jealousy had been shown by commercial England to breed in the Scotch a fancy that to English influence the failure was due. A paroxysm of bitterness and a dangerous crisis followed. Scotland assumed an attitude most hostile and offensive to England. The Scotch parliament passed an Act of Security separating the succession to the crown of Scotland from the succession to the crown of England.

At last the captain and crew of an English vessel were murdered under form of law at Edinburgh with the brutal fury of an Edinburgh mob. England, of course, met the hostile demonstrations of Scotland by similar demonstrations on her part. 1704

It was chiefly owing to the grievous need which Scotland felt of the English market that diplomacy at length prevailed over the rising storm of passion, and commissioners were appointed on both sides to treat for a union. Inflamed as Scotch nationality had been in the recent affray, its agonies were acute. It found champions in Lord Belhaven, a brilliant orator, and Fletcher of Saltoun, that Spartan republican who had proposed to restore economical prosperity to Scotland by making helots of the needy. The Scotch were told that the promised participation in English commerce was a delusion and a snare, that every seat at that board was already filled, that all the benefit would be to the devouring Southerner, that the Scotch workman would get English prices without English wages, and that English excise would snatch the jug of ale from his hand. The English were told by the opponents of union on their side that their substance would be devoured by hungry Scotch. To the Scottish parliament Lord Belhaven, in a speech which had immense vogue, unfolded a dire apocalypse of woe. He saw the peers of Scotland, after all their glorious achievements, walking in the Court of Requests like so many English attorneys, and laying aside their swords when in company with the English peers, lest their self-defence should be termed murder. He saw the Royal State of Boroughs walking their desolate streets, hanging down their heads, wormed out of all the branches of their 1706

old trade; Caledonia, like Julius Cæsar, ruefully looking round about her, covering herself with her royal garment and awaiting the fatal blow. He saw the Scotch artisan drinking water instead of ale and eating his saltless porridge; the ploughman, his grain rotting upon his land, cursing the day of his birth, dreading the expense of his burial. Lord Marchmont's answer was, "He dreamed, but lo! when he awoke behold it was a dream."

In the frame of mind in which the two nations were, to get a joint commission appointed, to get the English and Scotch commissioners to agree, to get the two parliaments, full of national jealousy recently excited, and with the hostile churches behind them, to accept the terms settled by the commission, was a task by which the most skilful of diplomatists might have been appalled. Yet, by the tact and temper of Godolphin, Somers, and Montagu, aided by that of the friendly statesmen of Scotland, the task was performed. Blenheim had deprived the Scotch Jacobites, deadly enemies to the union, of the hope of aid from France.

1707 Passed by the parliament of Scotland, to which in the first instance it was wisely submitted, the Act of Union was afterwards passed by the parliament of England. With infinite skill and temper all questions were solved and all claims were adjusted. In pecuniary and fiscal arrangements England could afford to be, and was, liberal. The title of the United Kingdom was to be "Great Britain," which, however, its want of simplicity combined with the force of tradition has prevented from effectually displacing that of "England" in the language of the world. Scotland received a representation, fully proportioned to her share of taxation, in the House of Commons,



with sixteen peers, elected from the body of her peerage, to represent her in the House of Lords, the principle of election being thus introduced, though in the mildest form possible, into the hereditary House. The Presbyterian establishment of Scotland was preserved and continued to form a strong line of demarcation. Scotland also retained her own law and her own judicial procedure, though the House of Lords became the ultimate court of appeal for the whole of the united nation.

Scarcely would the union have threaded the opposition of the high churchmen and Tories in the English parliament if they had been allowed to debate the articles in detail. The Bill might have been in committee till the day of doom. But that danger was eluded by the ingenuity of Harcourt, afterwards chancellor, who framed a Bill with the treaty recited in the preamble and a single enacting clause. To make all fast, in addition to the Acts imposing the abjuration oath, an Act was passed 1707 declaring it treason to impugn the settlement of the crown under the Act of Union or the right of parliament to limit the succession. This was aimed against the Jacobite enemies of the union and the succession in Scotland. It stamped the monarchy as parliamentary.

There was friction afterwards, as might have been expected, about questions political, fiscal, judicial, and religious. Scotland was surprised and somewhat shocked at finding that the British House of Lords had become the high court of appeal. Anglicanism and Presbyterianism did not easily fraternize in parliament. When the English Tories came into power, they showed their temper against the Scotch church. Jacobites made as much mischief as they could, and were aided by the venom of

Swift. A motion for the dissolution of the union was all but carried in the House of Lords; but the argument that what had been done could not be undone happily prevailed. France made a last effort in conjunction with the Scotch Jacobites to restore the disunion which had served her malignant policy well. She sent an expedition, but it failed.

Scotch disunionists have fondly cherished the tradition that the independence of their country was sold by her leading men for the sum of £20,540 17s. 7*d.*, of which sum Lord Banff received £11 2s. 0*d.* as the bribe to which his integrity and patriotism gave way. The money was payment for arrears of salary and other debts which, the Scotch treasury being empty, the English treasury defrayed.

Thus after long centuries of miserable enmity, mutual devastation, and progress retarded on both sides, nature had her way, and union came at last. The line of religious division which the Act of Union left is being softened if not effaced by the intellectual forces which are everywhere sapping dogmatic organizations. The line of legal division will probably in time be effaced by the progress of scientific jurisprudence. Yet the evil which the Norman Conquest did in severing Scotland and Wales from England is not yet wholly undone. Antiquarian whim or demagogic malice can still appeal to separatist sentiment in Scotland and Wales as well as in Ireland.

Lord Belhaven's dream was ruin; the reality was to be the warehouses of Glasgow, the ship-building yards of Clyde, and in time the farms of the Lothians. The shipping trade of Scotland had been ruined by the Navigation Act; but after the union Glasgow chartered

ships and opened a growing trade with the American colonies. In 1716 or 1718 the first trading vessel that crossed the Atlantic was launched upon the Clyde. In 1735 Glasgow had sixty-seven vessels and had become a rival of England in the American trade. Greenock made herself a harbour; Paisley grew into a manufacturing town. The merchant marine of Scotland rapidly advanced, and the younger sons of the gentry, hitherto in want of occupation, took to commercial enterprise. The linen trade and the woollen trade kept pace with the mercantile marine. Products which before had been valueless or of little value, such as black cattle or kelp, became sources of wealth. Agriculture, retarded by a bad system of holdings, as well as by the want of good markets, followed the advance of commerce with a somewhat slower step. Improved habitations, comfort, cleanliness, civilized habits spread among the people.

Union with England gave Scotland unity in herself. The force which she had lacked for the incorporation of the Highlands was henceforth supplied. After the next rising of the clans military roads were made through the Highlands, hereditary jurisdictions were abolished, law took the place of the chieftain's lawless will, Christianity and in time the southern language, the indispensable instrument of education and culture, made its way. The mountain lair of the marauding cateran became a reserve of beauty and romance in a land of factories and forges, while the plaid, the sight of which had long been dreaded by the Lowlander, was by the genius of a military tailor improved into the picturesque costume which kings as well as warriors and sportsmen have delighted to wear.

Increase of material prosperity, however great, might



not have made up to the patriot for political degradation; but Scotland could not lose political dignity by exchanging the state of a satrapy, which under the union of the crowns had been and must always have been hers, for partnership in the illustrious destinies of a great nation. Nor can Scotch character have suffered if the present Scotch estimate of it is true. It is eminently commercial, and in that aspect must have been formed after the union, since before the union there was little trade. Lack of trade, in fact, it was that made the union. The heart of Sir Walter Scott was thoroughly Scotch and at the same time thoroughly British.

Unhappily, while to the statesmen of Anne undying gratitude is due for the achievement of union with Scotland, on their memory rests the heavy charge of rejecting union with Ireland. To span that fatal arm of the sea was harder than to overleap the Cheviots. But monopoly was even more estranging than the sea. Here we behold the dark side of commerce, of commerce at least as it was in those days when everybody was in the gall of protection. If the trader linked nations together by interchange and intercourse, too often he bred war among them by his spirit of monopoly and his malignant fancy that the gain of others must be his loss.

The sword of William and the penal code had thoroughly quelled for a time the hapless Celt of Ireland, who, for a full century, does not rise in rebellion again, not even when the Jacobite flag is unfurled in England. But to fear of Celtic insurrection had succeeded, on the part of those who swayed the commercial councils of England, a wretched jealousy of Irish trade, particularly of trade in wool, which Ireland produced of the best, and

in cattle. Ireland is a grazing country, for the most part too wet for grain, as well as almost destitute of coal, and nature has thus marked her destiny in relation to the sister island, the swarming population of which it is her natural function to supply with dairy produce and meat. English greed dreaded the growth of rival industries in Ireland, which, depressed as the Irish people were, there was only too little need to fear. Small holdings, spade tillage, the potato, and the periodical famines which attended the treacherous tuber, and life in hovels shared with the swine, were the result. The Saxons of Ireland, seeing how their island as a dependency languished under monopoly, and sighing for a share of English trade, stretched out their hands for union. Their overture was coldly repelled. English commerce, possessed by the demon of jealousy not less irrational than sordid, protested against Irish competition; and commerce was the great support of the Whigs, who were then in power. Had Ireland been then allowed to become a commercial and industrial country in equal partnership with Great Britain, what calamities would both islands have been spared! She was forced, instead, to become a smuggling country, a recruiting ground for the armies of catholic Europe, and a seed-plot of disaffection destined to bear a hideous harvest at a later day.

Marlborough meanwhile pursued his career of victory. After Blenheim came Ramillies and Oudenarde, while 1706;  
the fortresses fell as usual to the conqueror in the field. 1708  
France was exhausted and her king sued for peace, offering to abandon his grandson's claim on Spain. The allies insisted that he should turn his grandson out. This was a moral blunder; it gave Louis a strong ground for

appeal to his people, and enabled the party opposed to the war in England to say that it was being protracted in the interest of Marlborough and others who gained by its continuance. In Spain the allies had not prospered. Spanish sentiment was strongly against them. Castilian pride revolted at the thought of partition. The Austrian Archduke, whose claim the allies supported, was a Serene Highness too dull and stiff to make way with the people, too slow to follow fortune when she beckoned him to Madrid. Peterborough, a knight-errant out of date, ran a meteoric course of victory; but he could only perform impossibilities, and, his career over, the fortune of war went against the allies in Spain almost as much as it had gone for them in other fields. The insulting demand of the allies raised a fresh army in France with an access of national spirit, and Malplaquet, the last of Marlborough's battles, though a victory, had been a fearful and sickening day of blood. After it he prayed that he might never be in battle more. It does not seem that he really wished to prolong the war. He seems to have been weary and to have longed to get back to his Sarah; though he saw that as Louis had set out to dictate peace to Europe at Vienna the right course was to dictate peace to him at Paris, whither victory had opened the way. Commercial England had borne much more than her share of the cost. Debt was being piled up and taxation was growing oppressive. Merchants might fancy that they gained by the destruction of French trade; but for the land owner and the people in general there was no compensation. In spite of trophies and processions to St. Paul's the nation was growing somewhat weary of the war. Marlborough's towering greatness and known am-



bition created a fear of military dictatorship, which was enhanced by his own imprudence in seeking the office of captain-general for life.

The murmurs of Jacobite disaffection and of Tory opposition had been drowned in the *Te Deum*. In vain the Tories had striven to set up the naval glory of Rooke, a Tory, against the military glory of Marlborough. Union with Scotland had come to crown the triumphs of their opponents. Still, the Tory party was strong in parliament, and in the country stronger still. It had on its side a solid phalanx of landed gentry, of whom was presently formed the October Club, so called from the strong ale by which its political spirit was fed, jealous of the commercial interest, and little favourable to the war by which it was supposed to be gaining at their expense. It had the lower clergy, especially in the rural districts. Personally the clergy were never less respected or less deserving of respect than at this time. Yet as an order they never were more powerful. They had their pulpits, which they used without scruple for political purposes, and of which the influence in rural parishes was far greater than that of the press. They had the ear of the squire who looked on their church as the bulwark against Puritanism and with whom their subserviency would be a merit. They hated the Revolution, were Tory, and often tinged with Jacobite sentiment if not Jacobite. Their political preaching was dangerous, since in the opinion of good judges the Stuart might have come back if he could have changed his Roman Catholicism for the Anglican religion, which, to his honour, as well as happily for the country, he steadfastly refused to do. The universities, which were entirely clerical and centres of clerical big-

otry, were Tory. Oxford was Jacobite, having buried the memory of the attacks made on her by James.

The Whig leaders seem to have felt that there was a growing prevalence of anti-Revolution sentiment which, with the demise of the crown in view, might be dangerous, and to have looked for an opportunity of taking Jacobitism by the throat and binding the nation fast to Revolution principle and the Hanover succession. Sacher-  
 1709 verell, a clerical demagogue, in a sermon preached on the anniversary of the gunpowder plot, impugned the Revolution doctrine of resistance. Upon this the Whigs  
 1709- pounced as a subject for their grand demonstration.  
 1710 They could not have chosen worse ; for, in attacking an ecclesiastic they brought the order about their ears, at the same time offending the high-church queen. This the wisest members of the party saw ; but it is said that he who generally was the wisest of all, Godolphin, allowed himself to be stung to imprudence by a personal allusion.  
 1710 The petty agitator was impeached. There was a grand state trial, in which the Whig leaders, as managers of the impeachment, expounded their political creed, asserting, while they strictly defined and limited, the principle of resistance, with benefit to political philosophy, perhaps in the end to the party, though to themselves the consequences were disastrous. The clergy were at once in a ferment. Their fury was seconded by the street mob, always on the side of violence. The terrible cry of "church in danger" was raised. The populace shouted for "high church and Sacheverell" round the carriage  
 1710 of the queen, whose heart responded. Sacheverell was condemned by an ineffectual majority to a nominal sentence. He at once became the martyred hero of the hour,

and made a triumphal tour of agitation through the country. A tidal wave of fanaticism swelled and roared against the Whig administration.

At the same time a blow was dealt by an even more despicable hand. "It seems," says Hallam, "rather a humiliating proof of the sway which the feeblest prince enjoys, even in a limited monarchy, that the fortunes of Europe should have been changed by nothing more than the insolence of one waiting-woman and the cunning of another." There was a good deal more at work, but bed-chamber intrigue played a shameful part. Anne was at last growing tired of the insolence of Marlborough's wife. An opening was thus given to the wiles of Abigail Hill, whom the duchess in an evil hour for herself and her friends had introduced to the queen's toilet, and who became the tool of the Tory leaders. Under the influence of Abigail, combined with her own Tory and high-church leanings, the queen broke with the duchess, dismissed the Whigs, and called the Tories to power. 1710 Parliament was dissolved, and the new election gave the Tories a great majority. Thus partly by its own fault, partly through intrigue, the current of popular feeling at the time setting against it, fell the great Whig ministry of Anne.

The Tory leaders were Harley, presently created Earl of Oxford, and St. John, presently created Viscount Bolingbroke, both of whom had sat as moderate Tories in Marlborough's first ministry and been the last of that section to be dropped. Harley was given to mystifying his contemporaries about himself, and he has in some measure mystified posterity. He seems, however, to have been a man of second-rate ability, owing his position



mainly to his parliamentary experience, irresolute in character and infirm of purpose. He gained a reputation for wisdom by holding his tongue. Nobody could speak of him with more intense contempt than did afterwards his partner in power. For his patronage of letters, if it was not political, he deserves to be remembered. Bolingbroke was a brilliant and daring knave. A scoundrel he is called by Johnson, who was on his side in politics though not in religion. The epithet is surely deserved by the man who, without being a Jacobite, conspired for the restoration of the Stuarts, who being a free-thinker at heart and loose in life led a mob of bigots in a persecution of nonconformists. Bolingbroke in his writings scoffs at divine right as a figment of kings and priests playing into each other's hands. "The characters of king and priest have been sometimes blended together; and when they have been divided, as kings have found the great effects wrought in government by the empire which priests obtain over the consciences of mankind, so priests have been taught by experience that the best method to preserve their own rank, dignity, wealth, and power, all raised upon a supposed divine right, is to communicate the same pretension to kings, and by a fallacy common to both impose their usurpations on a silly world. This they have done; and, in the state as in the church, these pretensions to a divine right have been generally carried highest by those who have had the least pretension to the divine favour." Such were the real opinions, afterwards disclosed, of the head of the Jacobite and Anglican party.

Bolingbroke's professed ideal of a government was embodied in his "Patriot King," which had some influence

in later times, and has had some even in our own day. The "patriot king" was to be raised above all party and to rule for the general good. But Bolingbroke himself was a party leader in the narrowest sense of the term, affecting Jacobitism and Anglicanism merely for a party purpose. He compared himself to a huntsman cheering on his pack of hounds and showing them game. He avowed that the principal spring of his actions and of those of his friends was to have the government of the state in their hands, and that their principal views were the conservation of this power, great employments to themselves, and great opportunities of rewarding those who had helped to raise them and of hurting those who had stood in opposition. The aims of faction could not be more frankly described. The loss of Bolingbroke's speeches has been much deplored. They were no doubt brilliant, like his writings, in form, and effective with his party pack of hounds; but if the substance was no better than that of his writings, we may resign ourselves to the loss. The orations of a charlatan, pandering to the passions of boors and bigots soaked with October ale, can hardly have been in the noblest style of eloquence.

The Tory ministers at once dismissed Marlborough 1711 from his command; disgraced him; brought against him charges of malversation, of which, though greedy of money, he was not guilty, while he had refused an enormous bribe offered by France; put the Jacobite and traitor Ormonde in his place; and at once flung themselves into the arms of their friend and patron, the French king, to whom, in his desperate condition, their ascendancy was salvation. In the negotiations which they opened they were almost more ready to give than Louis was to ask.

1713 The Treaty of Utrecht, Bolingbroke afterwards owned, was less answerable to the success of the war than it might and ought to have been, though he lays the blame, of course, on everything but his own treason. Perfidy to allies, behind whose back negotiations with France were carried on; treacherous desertion of them in the field, 1712 which caused Eugene to lose the battle of Denain, and made Marlborough's victorious veterans hang their heads with shame; betrayal of the Catalans who had been induced to rise in favour of the candidate of the allies for the Spanish throne — not even defenders of the treaty can defend. Nor can it be questioned that England was lowered in the eyes of Europe. Louis entered into an engagement against the union of the French and Spanish crowns, out of which, had the case occurred, his French jurists and his Jesuits would have found him a way. England kept Gibraltar, to which she had scarcely a claim, since it had fallen into her hands, not in a war against Spain, but in a war waged ostensibly in support of the rightful candidate to the Spanish throne.

The redeeming part of the treaty was free trade with France; but this commercial prejudice, combined with jealousy of French connection, was strong enough in the British parliament to reject. Commerce was in bondage to monopoly, though politically it was on the Liberal side. The Tories were for free trade with France, not because they were economically more enlightened, but because they wanted French connection and French wines. All parties rejoiced in the hideous acquisition of the Assiento, that is, the privilege of carrying on the slave trade with the American colonies of Spain.

In the House of Lords the Whigs, aided by the Liberal



bishops, were still strong, and to carry the treaty the Tory leaders found it necessary to resort to a swamping creation of twelve peers. This was deemed at the time, and in fact was, an act of unscrupulous violence. Yet there is no other way, apart from physical force, of compelling the Lords to bow to the national will as declared by the representative House. One man had the spirit to decline the ignominious honour. 1711

The Tory squires and the high church parsons now had their carnival of reaction. The Act against Occasional Conformity, which had been more than once thrown out by the Lords, passed both Houses, helped in the Lords by an unholy compact of some of the Whigs with Tories, who were willing on that condition to vote against the Treaty of Utrecht. To the Occasional Conformity Act was added the Schism Act, prohibiting dissenters from educating their children. Bishop Butler, the one great theologian whom the Church of England produced in the eighteenth century, was educated at a non-conformist school; so was Burke, the great lay champion of the Establishment; so had been Harley himself. Striking, yet not unnatural nor perhaps unique, is this picture of persecuting priests headed in an attack on liberty by an unbeliever and a debauchee. Church interests in everything prevailed. A tax was put on coal to build fifty churches in London. The *Regium Donum*, the dole hitherto given to the Irish Presbyterians, was stopped; a blow was struck at the Presbyterian conscience in Scotland by the restoration of the rights of patronage; and protection was extended to the persecuted Episcopalians, not, assuredly, from love of toleration, but from enmity to their Presbyterian foes. 1711 1714 1710 1712

To strengthen the landed and depress the commercial element, the Bill vetoed by the king and rejected by the  
1710 Lords in the last reign was now passed, requiring property in land as a qualification for all members of parliament. The Tory theory was that land was the only true basis of political power.

Nor did the huntsman fail to show his hounds more personal game. Steele, for having written a telling Whig pamphlet, was accused of seditious libel and expelled the House. Robert Walpole, one of the managers of the Sacheverell impeachment and a rising speaker and financier, was falsely accused of embezzlement and sent to the Tower. Of Walpole the Tories had not heard the last.

A stamp duty was laid on newspapers and the cheap  
1712 press, nominally for the purpose of raising revenue and repressing libel ; really, it cannot be doubted, in the same spirit of hostility to a cheap press which led the same political party to oppose the repeal of the stamp duty at an after day. Press persecutions also were rife. But pamphleteering could not be suppressed. Both sides had become too fond of literary war.

Bolingbroke has declared that there was no formal design of bringing in the Pretender. Formal or not, there was a design for bringing in the Pretender of which Bolingbroke was the soul. Correspondence was going on with St. Germans. A perilous crisis in the history of the nation and of liberty had arrived. Harley's nerve failed him when he approached the brink. He wavered, faltered, and at last, after a fierce altercation in the presence of the queen, was overthrown by his more daring partner and  
1714 turned out of office. Bolingbroke was now sole master of the ship ; but before he had time to lay his plans, fortune,

to use his own phrase, bantered him. Harley was turned out on Tuesday; on Sunday the queen died. The Jacobites, dispersed all over the country, were not ready; the Whigs were gathered in the cities. A bold stroke made in the council by Whig Lords favourable to the Hanoverian succession, when the queen was dying, put the headship of the government with the staff of Treasurer, into the hands of Shrewsbury, thus setting Bolingbroke aside. Bolingbroke was taken by surprise; he was not ready, and his plot collapsed. Atterbury, the clerical leader of the Jacobites, a turbulent and designing priest, offered, as was believed, desperate counsels, but in vain. In a nonconformist chapel in the city, a handkerchief dropped from the gallery, which was the preconcerted signal, told the preacher that the queen was dead. He and his congregation at once broke forth into a jubilant hymn. Fortune had bantered Bolingbroke.

1714

1714



## CHAPTER V

### GEORGE I. AND GEORGE II. — THE MINISTRIES OF WAL- POLE AND CHATHAM

GEORGE I. — BORN 1660; SUCCEEDED 1714; DIED 1727

GEORGE II. — BORN 1683; SUCCEEDED 1727; DIED 1760

IN whose hands after these political vicissitudes was the country left? Mainly in those of the landed aristocracy and gentry. Those yeomen freeholders who had once been numerous and of whom Cromwell had formed his Ironsides, were going out of existence; rising, if they were opulent, into the class of squires, falling, if they were needy, into the class of tenant farmers. Land, with the social rank and political influence attached to it, became the object of a competition in which wealth prevailed. A rise in the scale of living would draw the yeoman into expenses which led to embarrassment and enforced sale, while the great landowner of the neighbourhood, the rich East Indian or the successful trader, was always ready to buy. Great estates became the rule. Their lords designated the members of parliament for the county, nominated members for pocket or petty boroughs, exercised political influence everywhere, and as Lords-Lieutenant, Sheriffs, or Justices of the Peace, had the local administration in their hands. At the head of the landed interest were the peers, hereditary owners collectively of a vast amount of land. The order of baronets with

hereditary titles, but without seats in parliament, formed a link between the peers and the squires. The estates were entailed. The eldest son took the family mansion and the acres. The younger sons were quartered on the family livings, on the army, or on the public services, appointments to which were patronage, to be obtained through the political interest possessed by the head of the house.

The landed gentry formed a social as well as a political aristocracy, distinct though not close. To propitiate the Duke of Wellington, who had been affronted, the Count d'Artois complimented him on the great things which he had done and the confidence reposed in him by the crowned heads. "More than that," replied the Duke, "I am an English gentleman, and no one shall insult me with impunity." "You would degrade a gentleman to the level of a king or a grocer," says a character in a novel to one who proposes to him an act of vulgar publicity. Only a gentleman could assume armorial bearings, be called "esquire," or fight a duel. Trade was against caste, and those who had made fortunes by it were with difficulty admitted into county society, though the squire, or even the peer, might not disdain to repair a dilapidated estate by marriage with the trader's daughter. All professions were derogatory except the church, the upper grade of the law, and the army. Even the navy was for some time barely within the pale; Smollett's Commodore Trunnion is its representative in fiction. There was a commercial as well as a landed interest; but the man who had made his fortune by trade laid it out in land as his passport to high society, and connected his family by marriage, if he could, with the landed gentry. Even East Indian and

West Indian wealth found its way through the same gate after a social quarantine, during which it was apt to be in political opposition. Manufactures were still in their infancy, and their influence in politics, destined in time to be so powerful, was as yet hardly felt. Thus the ascendancy of the landed gentry was paramount. The tenant farmers who held under them were, of course, their dependents; the labourers were almost their serfs. Social caste seems to have grown with the century.

That government should be parliamentary, not by prerogative, the Revolution had decided. But parliament, though it might roughly represent great interests, was far from representing the people. In the counties freeholders alone, the number of whom was decreasing, had votes; leaseholders, copyholders, tenants-at-will, and cottagers had none. In earlier days the crown had assigned representation to boroughs at its discretion, choosing originally those which were most taxable; afterwards, as political influence became an object, places where it could best control the representation, including a number of villages in Cornwall. But in the reign of Charles II. an attempt to exercise this power had been checked, and the borough representation was stereotyped thenceforth. The borough franchise was a medley of accidents. In a few towns household or even manhood suffrage was the rule; but most of them had fallen into the hands of local oligarchies, which themselves fell into the hands of the great proprietors or of purchasers of their venal votes. In sum, only London, Westminster, Bristol, and a few other great boroughs retained electoral freedom. A miserable village in Cornwall had as many members as a great county. Members were returned from an old mound or



an old wall from which population had fled. Seats in parliament came to be regarded as property which was bought and sold without disguise, the price having reference to the political market of the day and the period for which parliament had still to run; though when the city of Oxford openly advertised its seats for sale, the House of Commons thought it decent to feign a transport of indignation. There were shameless bribery and treating at elections, and when the pride of rival county families was excited, enormous sums were spent in these contests. East Indian nabobs and West Indian planters when they came upon the scene were great buyers of seats in parliament and propagators of political corruption. Election petitions were decided at Westminster, as they still are at Washington, by a party vote, a minister telling his supporters, when the struggle was close, that no quarter must be given in elections; so that men held seats to which they had no elective right. Parliament sat in secrecy; to report the debates was forbidden, though meagre and inaccurate, sometimes imaginary, summaries of the speeches were published under fictitious names.

Still, the British constitution was free by comparison with all other countries except Holland and Switzerland. There was a public opinion, which, though not directly represented in parliament, at a crisis had its influence. It found organs in the great borough constituencies, especially that of London, the effect of whose free verdicts was enhanced by the general want of freedom. It found organs in the press, now liberated from the censorship, though subject to an illiberal libel law, and liable to censorial onslaughts by the dominant party in parliament. It found an organ sometimes in the mob of

London and other great cities, which was political, and in the absence of a strong police or army could make itself feared by the government. Quarrels and struggles for place among the aristocracy would give leaders to the outside public at the expense of the ruling class. The politician, however aristocratic, stands in awe of the voter, and there is an amusing picture drawn by a French visitor of a nobleman cringing to an innkeeper who had influence in the local elections. The spirit of the Revolution of 1688, and even of that in the reign of Charles I., still lingered; that of the revolution in the time of Charles I., of course, very faintly. Nor was fear for the church lands in the event of a Jacobite or papal restoration even yet quite extinct in the Whig houses. The classics, which were the staple of education, kept up the ideas of Greek and Roman liberty. Brutus and Cassius were names wherewith to conjure. Examples of Greek and Roman history were cited against standing armies. A statesman of antique mould called the age of the Scipios the apostolic age of patriotism. Party, while it degenerated into faction, sustained a political life and an interest in public characters and affairs. Paley thought he could not spend his money as a taxpayer better than in buying for himself the amusement of the political arena; and this was an amusement higher, to say the least, than any which he could have enjoyed under the shadow of the Bastille.

In matter of taxation parliament does not seem to have been immoderately partial to its own class. Nothing in England resembled the fiscal exemptions of the aristocracy in France. Yet legislation by a class could not fail to be class legislation. The landed interest was first considered; after it commerce, which drew its share of the political

fund in a protective tariff and commercial wars. For the mass of the people nothing in the way of legislation was done. The farm labourers especially were left under a Poor Law which was a code of degradation and a Law of Settlement which bound them like serfs to the soil. The farm labourer was as destitute of the power of making himself heard through any organ of opinion as he was of the power of the vote. That the squire was an autocrat, cruel game laws proved. Local institutions, the shire and the borough, organs of progress and liberty in early days, had lost their importance. The counties were now in the hands of the great landowners who, as Justices of the Peace, legislated for them at Quarter Sessions. The boroughs had, for the most part, lost their liberties to close corporations, sometimes self-elected and corrupt as well as close, which engrossed the offices, often abused the fund, and sold the parliamentary representation.

Guarantees of personal liberty, in Habeas Corpus and jury trial the British citizen still had, and jury trial extended to political cases. But an aristocratic legislature was prodigal of the blood of the poor. Blackstone counts one hundred and sixty capital offences; and in spite of the humane perjury of the juries and the merciful subterfuge of judges, the butchery was immense, while the executions were revolting, and Tyburn was at once a shambles and a brutalizing show. The death-warrant of a man who had altered the date of a small bill to postpone payment was signed by a king who had himself made away with his father's will. A woman whose husband had been pressed as a seaman, having stolen a trifle from a shop to feed her starving children, was borne to the gallows with an infant at her breast. Liberty could hardly be truly



sacred in a nation which was carrying on the slave trade, in spite of the judgment, which perhaps has been glorified as much as it deserves, that on touching British soil the slave became free. Thousands languished through life in prison for petty debts. The prisons were found, on parliamentary investigation, to be most horrible and heart-rending scenes of cruelty and extortion. The judiciary was incorrupt as well as independent, for though Lord Chancellor Macclesfield was impeached and deprived, it was for the sale of appointments, not of justice. But justice, though not sold, was delayed and defeated by antiquated technicalities and barbarous chicane, the leavings of the Middle Ages, which Mansfield, as Chief Justice, though he did something, could not do much to reform. This, however, was better than *lettres de cachet*, judicial torture, and the Bastille.

Squires of course varied in character. There was a Roger de Coverley or an Allworthy, the benign patriarch of the parish, as well as a Squire Western who spent his mornings in fox-hunting and his afternoons in getting drunk. When the squire was good, the manorial system might not be bad, and the parish might not be unhappy. But idleness and autocracy are bad trainers, and duties which are not binding are seldom performed. The annals of the rural poor were sad as well as short and simple. The squire had little education. The universities, Oxford especially, buried in richly endowed torpor, barely retained the form of teaching, and the young man was lucky if he left them no worse in character than he came. The deep and dull potations of Heads and Fellows, as Gibbon said, excused the brisk intemperance of youth. The great public schools, Winchester, Westminster, and

Eton, were in a better state; their teaching was only a modicum of classics, but the character which they formed was manly and free. Little democracies in themselves, they did much to keep the character of the gentry in touch with that of the people. When squires began to frequent watering-places, they probably gained more varnish than culture. "My Lord" made the grand tour and acquired the polish of the court and of London society. Sometimes he became Parisian, as did Chesterfield; more to the advantage of his manners than of his morals. The English aristocracy, however, was rural, not a court aristocracy like that of Versailles. It was not, like the French nobility, utterly estranged from the people. Its pleasures were healthy and did something to preserve its virtue. Some of the great landowners became agricultural improvers, and by their experiments did a service which peasant proprietors or freehold yeomen could not have done. One of them, the Duke of Bridgewater, as the patron of Brindlèy, gave the country its canals.

The church, safely established, slept and rotted in peace. Many of the livings, being in the gift of the landowners, were used as pensions for younger sons. Pluralism and sinecurism prevailed to a scandalous extent, and the bishops, who deplored the abuse in the clergy, were samples of it themselves. Rectors drew the tithes, sometimes of more than one parish, while starveling curates did the work. Of spiritual life, of pastoral visitation, there was little. The reading of the service and the delivery of a sermon, of which the chief object was to shun enthusiasm as the badge of the nonconforming fanatic, satisfied a parson's sense of duty. The

common people were left in a state of heathenism, as, when missionary zeal turned on its light, plainly appeared. Churches, in spite of high-church reverence for the edifice, were sluttishly kept and allowed to fall into decay. A bishop could hold a see in which he was never seen. Bishoprics were treated by statesmen as political patronage, for which ecclesiastics waited and intrigued in the antechambers of power. Even moral reputation was not strictly required. The author of Swift's poems narrowly missed a mitre. Horace Walpole, speaking of the establishment of the Prince of Wales, says, "The other preceptor was Hayter, Bishop of Norwich, a sensible, well-bred man, natural son of Blackburne, the jolly old Archbishop of York, who had all the manners of a man of quality though he had been a buccaneer and was a clergyman; but he retained nothing of his first profession but his seraglio." This was scandal, but it was scandal not incredible in those days. The same writer reproaches Bishop Keene for having failed to fulfil his promise of marrying a natural daughter of Sir Robert Walpole after being paid beforehand by the gift of a crown living. Bishops were grandes; one of them would not go the quarter of a mile from his palace to the cathedral except in a coach-and-four, with servants in full livery. But of the parish clergy and the curates many were very poor, so poor as almost to be compelled to dig and, like Trulliber, to handle swine. There were probably two Trullibers for one Parson Adams. Some of the order became ecclesiastical vagabonds; some of them lived by performing the irregular marriages, called Fleet marriages, till their trade was stopped by Act of parliament. From the vices of a celibate clergy the English parsons would



be free, and they might, as a rule, set a fair domestic example. But as a centre of rural civilization the parsonage could hardly have been worth much more than as a centre of religious life. When later in the century there came a religious revival led by a great evangelist and organizer in the person of John Wesley, it found the masses barbarous as well as without religion. Born and cradled in the establishment, Methodism could there find no abiding home. The new wine of the Gospel burst the old bottle of state religion, and the evangelist in his own despite was driven forth to found outside the church of England the free church of the poor.

The Anglican establishment continued to be a political idol and a watchword of political party, because it was the bulwark against the hated papist on one side and the hated puritan on the other; but the clergy, personally, seem at the same time to have been unpopular and despised. Marriage with them was disparagement. Chaplains in great houses married waiting-maids, and left the table when the sweets were served. Butler, Clarke, Secker, Fletcher of Madeley, and Law among ecclesiastics, like Johnson among laymen, were stars in a dark night. What there was of clerical intellect and learning took largely the form of apologetics, of which Butler was, and remains, the chief. Paley taught the cold religion of common sense. The Deists were at work; and cultivated society, as we see in the writings of Chesterfield, was feeling the influence of Voltaire. Among the nonconformists there was more religious life. But even among them zeal was growing cold and their numbers seem to have been reduced by the toleration which left them to themselves.

The salt having lost its savour, moral rottenness prevailed. Kings openly kept mistresses; nobles did the same; and bishops connived. A set of rakes somewhat later in the century formed a house of pleasure in Medmenham Abbey, decorated it with lascivious emblems, and made it the scene of unspeakable orgies with obscene imitations of religious rites. Among them was the son of an archbishop. This corruption of private character could not fail to tell on public life. In the towns the bodies and souls of the lowest class were ravaged by gin dens where they could get drunk and have clean straw for a penny. Hogarth has painted society, high and low, in the eighteenth century. In the middle class it seems that moral principles retained their hold, that honest dealing still prevailed, and that man and wife were true to each other.

In England the resistance of the Jacobites to the accession of George I., the Hanoverian and protestant claimant, was weak. A few fox-hunters rose in the North; but at Oxford and elsewhere Jacobitism confined itself to "magnanimous computations." Its chief, Sir William Wyndham, Bolingbroke's principal confederate, was promptly arrested by the government. In Scotland Highland clans embraced the excuse for a raid, and received some general support from the feeling against the union, which was still strong. At Sheriffmuir they fought a drawn battle with the Whig clansmen and royalist troops of Argyle. But on invading England, where the fox-hunters joined them, they were easily defeated, and James's son, the Pretender, coming to Scotland to rekindle the flame, turned out a chilling disappointment.

Louis XIV., whom no treaty could have withheld from aiding the rebellion, just at that time closed by his death 1715 the era of French aggrandizement. Executions followed the rebellion, but there was no Bloody Assize. The community must be defended. If a political motive were to confer immunity on rebels, society would be at the mercy of every brigand who chose to say that his object in filling it with blood and havoc was not plunder, but anarchy or usurpation.

Four years afterwards Spain, galvanized into sudden life and aggressiveness by the magic touch of the adventurer Alberoni, and finding her ambition crossed by England, took up the Pretender's cause and sent a little Armada against Great Britain. But the little Armada, like the great Armada, encountered storms in the Bay of Biscay, and the small force which it succeeded in landing in Scotland was at once put to the rout.

George I. did not, like William III., try to form a government without respect of party. He at once frankly threw himself into the arms of the party which had set and alone could hold him and his house upon the throne. All the places in the government were filled by Whigs. The commissions of the judges still expired on the demise of the crown, and the Tory Chief Justice Trevor was dropped, nominally on the ground that his judgeship was incompatible with a peerage. In a general election the Whigs were completely victorious. Bolingbroke, Harley, 1715 and Ormonde, the Tory Commander-in-Chief who had betrayed the allies to France, were impeached; and justly, 1715 for if a packed parliament had approved the Treaty of Utrecht, it had not approved the conspiracy with the enemy, or the treacherous betrayal of the allies in the



field. Bolingbroke fled and ratified his own condemnation by entering the service of the Pretender, from which, however, finding himself a clever knave among fanatical fools, he was presently compelled to withdraw. Ormonde also fled abroad. Harley, less deeply compromised, perhaps also more phlegmatic, stayed and outlived the storm.

1718 Tory policy was reversed. The Occasional Conformity Act and the Schism Act were repealed. The Treaty of Utrecht, which could not be repealed, was condemned.

Presently the Lords, to prevent another swamping creation, such as that by which the treaty had been carried, proposed to limit the king's power of creating more peerages to six. This would have closed the book of the British peerage as the Golden Book of Venice had been closed. It would have clipped the prerogative and the influence of the crown, shut the door against ambition, and abolished the only means of compelling the House of Lords in an extreme case to bow to the national will.

1719 The Bill was thrown out by the Commons after affording a fine theme for the grand debating club. The opposition made a hit by saying that if the Bill passed the only access to the temple of honour would be through a tomb. Through what portal other than the tomb of a dead father is the House of Lords entered by the successor to a hereditary seat?

Government, however, was now in the hands of the Whigs. It was still in very serious danger from disaffection. Several years later, encouraged by the birth of a son to the Pretender and by a commercial catastrophe in England, the Jacobites were again at work, and Bishop

1722 Atterbury, the great high-church champion and enemy of nonconformists, who had offered Bolingbroke to proclaim

the Pretender, was caught in a treasonable correspondence which led to his banishment from the realm. The Whigs consequently became the party of authority and repression. They upheld the standing army. They passed a stringent Riot Act to restrain the Tory mob which had begun to pull down meeting-houses. They left unrepealed, or rather enhanced in stringency, the tax on newspapers and the cheap press. They repealed the act passed in the time of William, limiting the duration of parliament to three years, and extended the term to seven, which remains the law at the present day. Factitious or secondary reasons were given for this momentous change, such as that it would reduce the influence of the Lords over the Commons, and render less frequent the carnivals of corruption and riot which disgraced elections in those days. But the real object was to lend stability to a tottering government and guard it against the danger of being wrecked, as the great Whig ministry of Anne had been wrecked, by a Tory or high-church typhoon. Members of the House of Commons were arraigned at the time, and have since been arraigned, for voting themselves a term longer than that for which they had been elected by their constituents. Parliament was sovereign and was justified in doing whatever the paramount interest of the state required. A dissolution would have been formally constitutional, but it might have overturned the Hanoverian throne.

The Tories and Jacobites, on the other hand, being out of power and bent on the overthrow of the government, took to courting the democracy, to declaiming against standing armies, to agitating for short parliaments, to posing as the champions of the liberties which in power

they had sought, and had they returned to power would again have sought, to destroy. There was once more a foreshadowing of that which is called Tory democracy in our day. The leader of the party, Sir William Wyndham, appears to have been a man of character and merit, though it is difficult to believe that a partisan of the Stuarts, in pandering to democracy, was sincere or had any object other than the disturbance of the existing settlement.

1714 In the opening years of George I., the leadership of the government was divided between Townshend and Stanhope, both of them able and honourable men of business. Stanhope was a good though not a fortunate soldier, a man of liberal mind, who would have carried further the principle of religious toleration, extended it to the Roman Catholics, and repealed the Corporation and Test Acts as well as the Schism Act and the Occasional Conformity Act. With them was Robert Walpole, whose parliamentary ability and knowledge of finance were making themselves powerfully felt. Ministers soon had trouble, as their successors were destined to have, about Hanover, the union of which with the British crown drew Great Britain into continental complications, deprived her of the advantages of her insular position, and forced her to be a military as well as a maritime power. The Act of Settlement, anticipating the accession of another foreigner to the British throne, had restrained his departure from the kingdom, but that restriction had been removed. Far better it would have been to provide that a foreigner succeeding to the British throne should give up his foreign dominions. On a Hanoverian question it was that the two ministers first fell out. Townshend was ultimately



dismissed, carrying Robert Walpole with him into opposition. Stanhope was left at the head of the government, with Sunderland, a man of ability but slippery, as his partner, and kept that position practically till he died. 1716

A great financial crisis brought to the front Walpole, who, with Townshend, had just rejoined the ministry, and decided that he should be head of the state. The grasping desire of growing suddenly rich without labour, which is the root of all gambling, gave birth to the South Sea Bubble, a counterpart of the Mississippi scheme in France, of the tulip mania in Holland, and a precursor of the English railway mania of later days. The government, lured by the fancy, which has taken more than one form, of conjuring away public debt without paying it, entangled itself with the projects of the South Sea Company, which, in reliance on the profits of its trade, undertook to finance a great body of government liabilities. There was a fabulous inflation of South Sea stock. The general spirit of speculation was set at work, and, having no financial press to control it, gave birth to a number of bubble companies, at last to one of which the object was "thereafter to be disclosed," and was disclosed by the disappearance of the projector with all the money. Then came a terrible crash, with a tempest of public rage and terror. Members of the government who had compromised themselves were driven from place, and one of them committed suicide. The foundations of public credit were shaken, and commerce was in despair. Robert Walpole's name as a financier stood the highest. The general voice called for him. By bold and sagacious measures he stayed the panic, restored public credit, 1720 revived commerce, and made himself master of the state 1721

for twenty years. With Townshend, who at first was his partner in the firm, he quarrelled, as it was his nature to quarrel with any one with whom he shared power. Townshend was eccentric enough, instead of going into opposition, to withdraw to his country seat, devote himself to farm improvement, and introduce the culture of turnips; saying that he knew his temper was hot and that he might be betrayed, as he had seen others betrayed, into factiousness and departure from his principles.

Walpole is the first prime minister properly so-called. Hitherto, the term had been branded as unconstitutional, as well it might be, seeing that it meant little less than king; nor was it even yet deemed inoffensive. George I., a German who was fifty-four when he came to England, who spoke no English, who had little knowledge of English politics, and whose heart was in Hanover, where he had everything his own way, left his minister to govern England, lending him at the same time, so far as appears, a steady support; for though his ability was small and his mind was narrow, he was a man of plain sense and honour. He had mistresses, but they were chosen, in fact, for their restful stupidity; they speculated, but they did not seriously intrigue. His hapless queen being a prisoner in Germany on a charge of infidelity, there could be no court influence of that kind. All sovereigns down to this time had presided in council, Anne like the rest, though probably she dozed. George I., as he could not understand the discussion, let the prime minister preside in his place. The prime minister appointed or dismissed his colleagues in the name of the king. His government rested avowedly on a party which accepted his guidance, was bound to support his measures,

looked to him to reward its support with patronage, and was assembled by him in caucus at a crisis in the parliamentary battle. Party allegiance and submission to party discipline were justified by the needs of that time. To keep out the Stuart, with despotism and popery in his train, a good citizen might well waive his personal convictions on all minor issues if thereby united action on the grand issue was to be secured. There was, in fact, still on foot a dynastic war, though generally waged without arms and on the floor of parliament; a different thing from the conventional division of a nation into two camps, one of Blues, the other of Yellows, for the sake of perpetuating the party system and maintaining the ceaseless competition for power.

We have now the cabinet and party system almost full blown. The cabinet, though a body unknown to the law, as it remains to this day, finally supersedes the old constitutional Privy Council, the authority of which, and its responsibility for the acts of the crown, the framers of the Act of Settlement had in vain sought to revive by an article which was presently repealed. The responsibility of ministers for the acts of the king, another essential part of the system, was becoming well established. Criticisms on the king's speech would henceforth be held lawful, the speech being taken as that of the minister. "Let the poor fellow alone," said George II. when he was told that a counterfeiter of the speech from the throne should be soon brought to condign punishment; "I have read both speeches, and I like the counterfeit the best." To the completion of the system there was still lacking the joint and several responsibility of the cabinet ministers, which was not yet fully established.



Not that the king had become a mere cypher. He still named his minister, though the ministry could not live without a majority in parliament. He had still a voice in the distribution of patronage, both civil and ecclesiastical. Ambition still sought his favour, and his mistresses were able to make money by the sale of it, as the mistresses of George I. did on an extensive scale. Above all, he was still, by the forms of the constitution, and in the eyes of the nation as well as in its liturgy, the ruler; and the day might come when he would again desire and try to rule.

Unlike Bolingbroke, who, when he was leader of the party, had taken a peerage, Walpole remained in the House of Commons, thereby recognizing that house as the seat of power. The peers, however, retained much of the power which their own house had lost by the influence which, as territorial magnates, heads of the landed interest, and masters of pocket boroughs, they exercised over the House of Commons; though no longer a fully co-ordinate branch of the legislature, they had still, at least on all subjects but money Bills, a voice in the council of the nation.

Robert Walpole was the son of a squire with a good estate in Norfolk. He had the tastes and habits of his class; was a keen fox-hunter, and opened his game-keeper's letters first. He was thus in touch with the landed gentry, while his financial skill and knowledge of trade gained him the confidence and the political support of commerce. He was a staunch Whig; had been one of the managers of the impeachment of Sacheverell, and felt the vengeance of the Tories in their day of triumph. Ejected for a time from the ministry in conse-

quence of a rupture between Stanhope and Townshend, he had been recklessly factious in opposition; had leagued himself with Jacobites; had attacked the standing army; had opposed the Mutiny Bill; and had voted against a repeal of the Schism Act, which he had himself denounced as worthy of Julian the Apostate. His morals were loose, his conversation was more than coarse, and when at Christmas he gathered his political followers round him at Houghton, their orgies drove decency from the neighbourhood. But he was strong, clear-headed, and sagacious, all in the highest degree. In the House of Commons he rose with a hale and lusty frame, a genial and cheery countenance. He was a master of debate; thoroughly understood the material interests of the country; and though he grasped power unscrupulously and monopolized it jealously, when it was in his hands he used it well.

The political ideal of such a man was not likely to be high. Walpole, in fact, had no ideal. The aim of his policy was to maintain the Revolution settlement by keeping the house of Hanover on the throne. For this he saw that peace with foreign powers, with France above all, was indispensable, since enemies abroad were sure to ally themselves with the Jacobite enemy at home. Peace, therefore, he did his best to maintain; and not only between England and foreign powers, but, so far as he could, among the masters of Europe, ever wrangling for territory, ever disputing about rights of succession, and ever on the verge of war. In this his skill as diplomatic helmsman was taxed to the uttermost, and did not fail. The Spanish tempest raised by Alberoni had been encountered and dispelled by Stanhope. In cultivating friendship with

France, the government of George I. was greatly helped by the change which had taken place in that country. Louis XIV., the fanatical champion of legitimacy and catholicism, had been succeeded by the Regent Orleans, a sybarite who cared little for catholicism and thought only of the prospect of his own succession to the throne, which might be disputed by the Spanish Bourbon, and with a view to which he desired the friendship of England. So far had the fury of religious war abated, that the Regent's minister, Dubois, owed the cardinal's hat, under which his wickedness grinned, partly to British influence at Rome. Fleury, who succeeded Dubois as minister, was also pacific, as beseemed a septuagenarian, and his heart had been won by Walpole's brother, Horace Walpole, the British ambassador at Paris, who had been far-seeing enough to pay him a visit on the day of his transient disgrace.

The enemy to be disarmed at home was the squire, the member of the October Club, to whom Bolingbroke had shown game, and who, hating nonconformists and the commercial interest, had supplied the strength of the Jacobite or Tory party. Him also Walpole tried to win over by reduction of the land-tax, which he always had in view, as well as by general conciliation. Still it was on the boroughs, a number of them in the power of the crown or close and venal, the commercial classes, and the nonconformists that Walpole's government mainly reposed.

Walpole's motto was "Let Rest"; not the worst of mottoes for a nation which had been politically distracted for a century. Content to give industry and commerce, the natural sources of prosperity, fair play, with such help



as finance or diplomacy could afford them, he shrank from all organic change or renewal of political strife. He would willingly have gratified the nonconformists who supported him by the repeal of the Corporation and Test Acts; but this he could not have done without provoking a conflict with the Tory parsons which, having been singed by the flames of the Sacheverell conflagration, he had steadfastly determined to avoid. He therefore put off the nonconformists with a pretext for delay, and at last, pressed to name his time, said frankly that the time would be never. An Annual Indemnity Act, however, 1727 did for the dissenters almost as much as would have been done by the repeal of the Test Act. Walpole tried to amend the tithe law for the relief of the Quakers, hundreds of whom had been imprisoned and some had died in prison; but the bishops and clergy were too strong for him. Against the catholics the law, sharpened on the defeat of James II., was made more vexatious by the imposition of the protestant oath of abjuration, and in one year a special tax was levied upon their property and that of the nonjurors. The motive was their assumed sympathy with the catholic Pretender. Walpole was no bigot or persecutor. He partook of the religious laxity of his age. It must be borne in mind that all this time catholics were persecuting where they had the power; that tidings of protestants or heretics, deprived of their liberty of worship, burnt alive, hanged, sent to the galleys, or driven into exile, were still coming in from catholic lands. Stanhope in 1691 had seen in Majorca twenty-seven heretics and Jews burnt; he was to see twenty more next day, and another "festival" of the same kind if he would stay a few days longer. Eng-

land was still the asylum of the persecuted for conscience' sake, and their industries were her rich reward.

Stanhope had rid the Whig government of the organ of hostility to it and to all measures of toleration retained by the clergy in convocation. That body, having long ceased to be assembled for its original purpose as the legislature and self-taxing assembly of the clerical estate, had continued to exist as the cockpit of clerical war and a field for the attacks of the high church and Tory parsons on the Liberal bishops who were appointed by the Whigs. The Bangorian controversy waged between the  
1717 High Church and the Low Church on a vast scale and with intense heat, though, as those who have explored its records say, without any definite issue, furnished a plausible ground for the final suppression of the assembly. A little dust, to use Hallam's phrase, was scattered over the angry insects. The license of the crown necessary to enable convocation to proceed to business was thenceforth  
1717 withheld, and convocation practically ceased to exist till  
1850 it was called to a feeble life by the high church movement of our own times. The established church was thus distinctly stamped as a department of the state.

That Walpole was himself corrupt there is no reason to believe. From his paternal estate, his official salaries, and his fair gains on the stock exchange he may well have had enough to pay for his palace at Houghton, his revelries there, and his gallery of pictures, without dipping his hands into the public purse. A committee of inquiry  
1742 after his fall searched with all the energy of hatred for proofs of his corruption and found none. To sustain his government, to keep the house of Hanover on the throne, to uphold Revolution principle against Jacobite opposition

or conspiracy, he used without scruple or remorse the vast and, according to our ideas, in part most objectionable, influence at the command of the crown; its nomination boroughs; the places and pensions, of which a scandalous number were held by members of the House of Commons; the borough votes of an army of excisemen which increased with the revenue; and patronage, military as well as ecclesiastical and civil. He dismissed officers of the army for voting against him. He bribed the political press. He bribed ambition with peerages; vanity with the Bath, a new order of knighthood. Probably he gave money bribes to public men. Among the men of honour, as they styled themselves in that century, to receive a political bribe was not dishonourable; and a nobleman into whose hand a minister had slipped a bill for three hundred pounds, though he refused the bill, did not feel insulted by the offer, but rather feared that the minister might be insulted by the refusal. All this was bad, but the choice was between this and the Stuart. In the nation at large, at least in its political classes, the party of the Revolution was in a minority; so that the prime minister had to keep the pyramid balanced on its point. To lower the tone of public life was hardly in Walpole's power. The worst that can be said of him is that he shared the general lowness of tone, or let himself down to it, and told young men at their entrance into public life that they would soon have to give up being Spartans and reformers. But he might well scorn the patriotism of his day. "Patriots!" he said, "I can make any number of them in a moment; it is but refusing an unreasonable or insolent demand, and up starts a patriot." "If you will not take the seals," said Walpole to Yorke, "Fazakerley



will." "Why, Fazakerley is a Jacobite." "No doubt; but if you have not taken the seals by one o'clock, at two Fazakerley will be Lord Keeper and the staunchest Whig in England."

The charge of having failed to patronize men of letters as the statesmen of Anne had done, will not bear heavily on Walpole's memory. He was scholar enough to lose a bet about a quotation from Horace and to give impertinence the lie direct in Latin; but he was a man of business and might mistrust his own literary judgment. Perhaps he feared that in patronizing one man of letters he would be in danger of provoking the jealous resentment of two. It is doubtful whether English literature has ever owed much to government patronage. Walpole did probably the best he could by respecting the freedom of the press and abstaining from government prosecutions for libel, though libels on government were many and fierce. His employment of hacks was not wise; they degraded him without doing him any good.

In financial and commercial legislation Walpole moved on the lines on which the greatest statesmen in that department have moved since. Free trade was his policy. He took off in one year export duties on a hundred and six articles of British manufacture, and import duties on thirty-eight articles of raw material. He introduced the system of warehousing foreign goods duty free. He reduced the land tax; he reduced the interest on the debt. From the fallacy of the sinking fund he could hardly be expected to be free. Public credit was sustained; commerce flourished under his rule; and wealth was made for his successors to spend in war.

Walpole was prompted to tax the colonies. He said he

would leave that for bolder men than he was, little thinking, perhaps, that such men would come. He discerned that the real value of the colonies to England depended on their commercial prosperity; and in an age of monopoly dared to give them a modicum of free trade. In 1704 the whole colonial trade, Burke says, was little more than it was with the single island of Jamaica in his own time.

The Excise Bill was a good financial measure in the opinion of Adam Smith, who ascribes the clamour against it to the interest of smuggling merchants combined with faction. It would have enabled the minister to abolish or reduce the land-tax, and had such been its declared object it would probably have passed with ease. But the name of excise, odious from its use in the Commonwealth times, enabled the opposition to raise a storm. Walpole's 1733 men were ready to stand by him; but he declined, not from lack of courage, but from prudence and good feeling, to levy a tax by force. His decision showed that in spite of all the defects of the representation and the force of government influence in parliament, the minister felt the pressure of public opinion.

Hero-worshippers will not worship Walpole. But if he did not give the nation glory, he helped to give it the material elements of happiness. After all, military glory is not the only sentiment. There is a sentiment attached to prosperous industry and the home. If the people are prosperous, they will be happy; if they are happy, as a rule they will be good; and there are those whose sentiment is satisfied by goodness.

The worst part of Walpole's administration, as of that of other British statesmen of the age, was neglect of Ireland, where, while misery and oppression reigned, danger

of disunion was gathering, though rather from the quarter of the dominant than from that of the conquered and down-trodden race. Walpole's attention had been called to that weak point by the storm which ensued upon the circulation of Wood's Half-pence. No wrong was intended nor was much really done by the British government. The dark spot in the transaction was the extortion of blackmail from the patentee by the king's mistress. The storm was raised by Swift, who was eating his heart in Irish exile and despaired of promotion under a Whig government. Yet it was formidable and ominous. Walpole, as was his wont, quietly backed out of the quarrel. Allowance must be made for the risks to which he would have had to expose his government in dealing with Irish questions, political, religious, or commercial; for the anti-popery sentiment which would have been aroused by any approach to toleration; the protectionist jealousy which would have been aroused by any measure of free trade. In this quarter, however, his statesmanship failed.

Scotland was still a difficulty. Scotch feeling against the union and English feeling against the Scotch were still strong. A tax on beer, putting an end to the exemption of Scotland from the malt tax, was met by a combined refusal of Scotch brewers to brew. This collapsed. More serious was the lynching, by the Edinburgh mob, of Porteous, an officer who had hastily fired on rioters. There was indignation in England, but when penal measures were proposed, the Scottish members were all on the side of the Edinburgh mob and the opposition played its regular part. Walpole was cool, and got out of the dilemma with a fair show of vindicating the law. But his hold on the Scotch contingent in parliament appears to have been shaken.



Walpole was near losing power at the death of George I. 1727  
 George II., as heir apparent, had, according to the custom  
 of the family, quarrelled with his father. On his accession  
 he dismissed his father's prime minister, and was putting 1727  
 his favourite, Sir Spencer Compton, a lay figure, into his  
 place. For the reinstatement of Walpole and the steady  
 support of him afterwards, the country was beholden to  
 the queen, Caroline of Anspach, who did excellent ser-  
 vice in a quiet way. Caroline had much to bear and bore  
 it well. She had to wink at mistresses, which that age  
 scarcely regarded as disgrace, and daily to undergo the  
 intolerable tedium of her husband's company. His not  
 very valuable heart she left to a mistress, kept her hold on  
 what he had of a mind, and guided him well. She was  
 lettered, interested herself in philosophy, and helped to  
 promote men of merit, among them Bishop Butler.  
 Above all, she kept the king true to Walpole, though the  
 king himself was a soldier and disposed to stand honour-  
 ably by his servant. On her deathbed, to which, by a 1737  
 concealment of her disease, strange in one not generally  
 delicate, she was prematurely brought, she conjured her  
 husband to marry again that he might have a guide. He,  
 really affected, as it seems, blubbered that he would not  
 marry again, but keep a mistress. "Good gracious!" she  
 replied, "you may do both." England owes much to  
 Caroline of Anspach.

Walpole's weakness is said and seems really to have  
 been a too jealous love of power. He could act with no  
 one who had pretensions to a share of it. He had begun  
 by shaking off Townshend. He presently shook off 1716  
 Pulteney, a first-rate debater, though in no other way 1721  
 first-rate; Carteret, a man of genius, a highly instructed 1724

politician, a first-rate scholar, daring, impetuous, and erratic, with an ambitious foreign policy in his head; and Chesterfield, not to be measured by Johnson's overstrained letter, or by his own advice to his son, since beneath the airs and graces of a man of fashion he had the mind of a statesman. The temper of these men was not so well under the control of their patriotism as that of Townshend. Whether Walpole could have acted cordially with any of them may well be doubted; they acted with intense virulence against him. He wanted the sensibility to feel and the tact to affect sympathy with the aspirations of youth, and he thus made deadly enemies of the "boys," as he called them, one of whom was "that terrible cornet of horse," William Pitt. Opposition had its centre in the mansions of two successive heirs apparent, each of whom had quarrelled with his father and gave himself a semblance of importance as figure-head of a cabal against the court. It had a closet leader in Bolingbroke, who, half pardoned through the venal intercession of the king's mistress, had come back to England, pulled the wires of his old party, and helped Pulteney in writing or bringing out *The Craftsman*, the opposition print. But Bolingbroke had not been readmitted to the House of Lords, and he found that wire-pulling without a seat in parliament would not help him to the mark of his ambition. When he tried to approach the king, Walpole foiled him by boldly insisting that the king should give him an audience and hear all he had to say. At last he left the country in disgust. The opposition declaimed against corruption; against the standing army, which had not ceased to be a fine theme for declamation; against the sacrifice of English interests to Hanover. But the minister's obedi-

ent majority of partisans and placemen long enabled him to smile at invective, the more so as the opposition was made up of three distinct sections which did not always vote together; the malcontent Whigs styling themselves patriots, such as Pulteney and Chesterfield; the Jacobites, led by "honest" Shippen, who formed a standing conspiracy for the restoration of the Stuarts, and the Tories who, like the Tories of a later day, were the party of the church, the king, and the landed interest. Still the opposition gained strength. Walpole seems never to have quite got over the unpopularity which had been brought on him by the Excise Bill. The death of the queen 1737 deprived his government of a strong support.

At last a quarrel with Spain gave the opposition an opportunity of getting up an agitation which proved fatal to Walpole's policy of peace and to Walpole. Spain had been kept in a state of constant irritation by the retention of Gibraltar, which it was the wish of Stanhope to resign. England had by treaty a right to the trade of a single ship with the Spanish dependencies in America. The restriction was evaded by reloading the ship from tenders when she had discharged her first cargo, and some of the smugglers, it seems, were roughly handled by the Spanish revenue officers. There was no question which diplomacy might not have settled, and leaders of the opposition themselves afterwards, as we learn from Burke, coolly washed their hands of the war. But faction grasped the opportunity of overturning a peace government. One 1739 Jenkins was produced to swear that his ear, which he had kept in cotton and which some believed had been cut off in the pillory, had been cut off by the Spaniards; and he fired the national heart by saying, probably from dictation,



that in the hands of his cruel captors he had commended his soul to God and his cause to his country. The nation was worked up to fury, and the King, who was a soldier with warlike propensities and had now no Caroline at his side, shared the frenzy of his people. Spain was popish; she was weak, and her treasure fleets were rich prey. Walpole was unable to stem the raging tide. His proper course was to resign; but he clung to power, probably justifying its retention to himself by thinking that he could moderate what he had been unable to prevent. He went into what he knew was an unnecessary and, therefore, a wicked war, exclaiming that they who were ringing the bells that day on its declaration, would be wringing their hands on the morrow. As a peace minister, known to be opposed to the war, and therefore mistrusted as well as misplaced, he of course failed in its conduct. The war machinery was rusty and out of gear. Patronage had corrupted the army and navy. The naval administration was rotten, and the treatment of the sailor was vile. The leaders of the opposition of course did their utmost to weaken and embarrass the government in the conflict into which they had driven it. Such is always the conduct of faction, politely styled party. Anson, in his attacks on the Spanish treasure ships, renewed the exploits of Drake and Raleigh. Portobello was taken, but the attack on Carthagena failed; and in the troop-ships, turned into hospitals, or rather charnel-houses, there were appalling scenes. The shadow of approaching defeat fell upon Walpole. Instead of throwing off the minister at dinner and being the merriest of the company, he sat by the hour silent and with fixed eyes. His sleep was broken. But though his buoyancy

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left him, his courage did not. He struggled gallantly and spoke ably to the end. He went into his last election weighted by the miscarriages of the war, by the accumulated discontents of twenty years, by the lingering odium of the Excise Bill, by all the calumnies which faction could invent, and by angry passages with the Scotch. Every engine was plied against him by the fury of an opposition divided in principles, but united in hatred. He came out of the fight with his majority greatly reduced 1741 in numbers, still more fatally in spirit. On the floor of the House he fought with unabated energy and force against Pulteney, Pitt, and all the host of enemies whom his long monopoly of power had made; and his last speeches seem to have been his best. Party in these battles showed its character. The maim, the halt, the blind, were whipped down to vote. Some sick ministerialists being about to be brought in through a private door, the opposition stopped the keyhole with sand. A ministerialist stepped up to a member of the opposition and told him that his son had been lost at sea. The bereaved father recognized the kindness of the intention, and stayed to vote. Cornish and Scottish members left Walpole. His majority fell to three. At last he was beaten on an election petition by one. Then, though his 1742 own heart was still high, he yielded to the pressing advice of friends and retired. 1742

The old idea still lingered that a fallen minister was a public criminal to be punished for his abuse of power, and there was talk of impeachment and even of blood. But all the fury simmered down into a committee of inquiry, which sat long, did its worst, and produced nothing. The king, who had shown on the battlefield

that he did not lack courage, and who rather shines as a patriot among the vultures of faction, stood by his faithful servant; and Walpole's only punishment was translation, as Earl of Orford, from the scene of his power to the House of Lords. The sole fruit of this victory of patriotism was a Place Bill limiting the number of offices tenable by members of the House of Commons. "The principles of the opposition," said Chesterfield, "are the principles of very few of the opposers." The principle of the opposers had been the overthrow of the government.

Fortune called on Pulteney; but Pulteney's courage failed him. He pleaded a patriotic vow which he had registered against acceptance of place, declined to form a government, and in the end allowed his fallen rival, who still had the king's ear, to reduce him to impotence by making him Earl of Bath. "I have turned the key on him," said Walpole, making the motion with his hand. "Here we go, my lord," said he to Pulteney, "the two most insignificant men in the kingdom." The House of Commons, originally called to give the government supplies, and perhaps advice, had itself become the government.

The nominal head of the next administration was Lord Wilmington, who, as Sir Spencer Compton, had been minister-designate for the hour between the death of George I. and the re-installation of Walpole; but the real head was Carteret, whose parts, according to contemporaries, were not less amazing than his rants. He once read a love-letter in council, being probably full of claret, which was his general state. A more dangerous pilot the ship could not have, especially in foreign affairs, which were his strong point, and of which he deemed himself consummate master. It had been Walpole's policy to



avoid engagements. Carteret showed his genius and proved Hanover to be a fatal adjunct to the island realm by plunging the nation into continental war. Wilmington died. The ball then rolled into the lap of Pelham, younger brother of the Duke of Newcastle, who came in as secretary of state, and by whose vast parliamentary interest the minister was supported. Pelham was a worthy man and a fair administrator; a very inferior and far less courageous Walpole. He floated rather than steered, but managed to keep clear of the rocks. He was a good financier and effected a large conversion of the debt. He sustained the government by Walpole's means, but he could have sustained it in no other way. 1743

Now, however, was seen the wisdom of Walpole's policy of peace. Once more the house of Stuart found supporters in continental powers at war with England. The young Pretender, Charles Edward, who was more engaging than his father, landed in Scotland, raised the Jacobite clans, or the clans which raided under that banner, defeated a royal force under Cope at Preston Pans by the Highland rush with the claymore, took Edinburgh, was installed in the palace of Holyrood, marched into England as far as Derby, and filled the metropolis with shameful consternation. England was denuded of troops for the foreign war and was compelled to call upon Holland for stipulated aid. Among the people a strange and sinister apathy seems to have reigned. That they would look on and cry "Fight, dog! Fight, bear!" was the opinion of shrewd observers; so little root had the German dynasty yet taken, and so needful had been the cautious policy of Walpole. At length the government rallied and gathered force. The Pretender retreated, and with a Highland 1745

1745-1746 host to retreat was to throw up the game. The Duke of Cumberland came up with the rebel army at Culloden, formed, as encounters with the Gallic rush had taught the Romans to form, in the order necessary to repair a broken front, and by his victory extinguished for ever the pretensions of the house of Stuart. The duke, a German soldier-prince, professionally ruthless, treated the vanquished with cruelty. But the conduct of the government in the punishment of the rebels on the whole showed the progress of humanity. The heir of the Stuart cause, all hope lost, sank into a drunkard, and the house of Stuart expired in a cardinal, whose characteristic memorial is the convent, room for which was made by the demolition of the temple of Jupiter on the Alban Mount.

1807

“You may now go play, unless you like to fall out among yourselves;” so said the old cavalier to the Roundheads on the final overthrow of his party. The same thing might have been said to the Whigs after the final overthrow of the Jacobites; and the Whigs, like the Roundheads, failed not to fall out among themselves. The Whig party began to split into connections, formed severally around great houses, which struggled against each other for place, and with their selfish cabals and perplexed intrigues ignobly filled the scene. There were shades of difference in the political character of the connections, one being purely Whig, another inclining more to Toryism; but power, which gratified ambition and brought with it an immense patronage, was the animating motive of all.

1754

An early outcome of the struggle was the ascendancy of the Duke of Newcastle, the arch borough-monger and arch place-monger of the day, who by assiduous effort in both

those lines of corruption, and by the expenditure of a princely fortune in politics, had laid up a vast stock of parliamentary influence. As a head of the state his Grace was grotesque. His royal master said of him that he was hardly fit to be a chamberlain to a petty German prince. His contemporaries vied with each other in depicting the absurdity of his figure, always fussy and spluttering, hurrying as though he were trying through the day to catch an hour lost in the morning, hastening as if he were the carrier instead of the writer of a despatch, rushing from his dressing-room with his face half covered with lather to embrace the man who brought him the good news that Cape Breton was an island. Insanely craving for power, or rather for the dispensation of patronage, he was yet timorous in the pursuit. He lacked even common veracity, and Walpole said of him that his name was perfidy. At a royal funeral we see him pretending to be fainting with grief, while a bishop hovers over him with a smelling-bottle; then, as his curiosity prevails over his hypocrisy, running round with his spyglass to see who was there. His practised cunning, however, enabled him to outwit far abler men than himself. He was industrious and always ready in debate. He was twice prime minister of England, and held high office for thirty-three years. It is due to him to say that while he spent his life in corruption, and his mansion was its court, he was not himself corrupt. It was the game, not the stakes, that he loved, and in the game he squandered three-quarters of his ducal fortune.

Pelham dying, Newcastle became prime minister. He 1754  
blundered and failed. He and his feeble leader in the House of Commons, Sir Thomas Robinson, were treated



as butts by his own subordinates, Pitt and Henry Fox, cabinet discipline having as yet been imperfectly established, while Newcastle had no personal power of control. The French Bourbon having come to the aid of the Spanish Bourbon, there was war with both powers. It was  
1756  
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misconducted; Minorca was lost, and Newcastle basely sought to appease national indignation by the execution of Byng, the naval commander, for failing to relieve it; shooting an admiral, as Voltaire said, to encourage the rest. The ministry broke down, Newcastle unsuccessfully attempting to sustain it by a union with Henry Fox, a very able and daring adventurer, effective in debate, master of the arts of corruption, a first-rate manager of parliament, and without principle of any kind.

William Pitt was now striding to the front. To him the eyes of the people were turning as the man to redeem them from the oligarchical selfishness, incapacity, and corruption which made a man of sense like Chesterfield despair of the state. Pitt, though allied by marriage to Earl Temple, did not belong to the great houses; he was qualified for the part of the great commoner and the man of the people. He had shown no scruples in cutting his way to power. He had been one of the bitterest opponents and most relentless persecutors of Walpole, and had fully shared the crime of forcing him into the war with Spain. As a subordinate in the Newcastle ministry, he had been wanting in loyalty to his chief. On the other hand, he had nobly protested against the execution of Byng, and he had won golden opinions as Paymaster, by refusing the irregular profits of that office, which were eagerly grasped by Fox. By the king he was hated as an opponent of the payment of Hanoverian troops, and

as having spoken most contemptuously of Hanover and of the subjection of British to Hanoverian interests. But the king was forced to give way, ejaculating, with a flash of insight, that ministers were king. Under the nominal premiership of the Duke of Devonshire, Pitt became secretary of state and the real head of the government. 1756  
 Fresh energy was at once infused into the war department. Fresh hope was awakened in the national heart. But the government could not command the majority in parliament, which was in the hands of the great parliamentary jobber, the Duke of Newcastle. Weighted at the same time by the king's prejudice against Pitt, it fell; 1757  
 and the country, in time of war, was for eleven weeks without a government. Meantime the nation had marked its man, and gold boxes, with the freedom of cities in them, were showered upon Pitt.

At last, the mediation of Chesterfield effected a coalition between Newcastle and Pitt; Newcastle furnishing the majority, Pitt the capacity; Pitt taking the government absolutely to himself and disdainfully leaving the patronage to the duke. Pitt had compared the union of Newcastle with Fox to that of the languid Saône to the impetuous Rhone. He might now have found a fresh use for his simile. He had an independent source of strength in the enthusiastic attachment of the civic democracy of London, the head of which, Beckford, a somewhat inflated city potentate, served as his political tender, supplying him with the popularity which he disdained to seek for himself. 1757

For four years Pitt is dictator. The House of Commons bows, almost cringes, to his personal ascendancy sustained by the oratoric fire, of which only a few flakes

remain. His will is done, and all the money which his vastly expensive policy demands is voted without a word. He had boasted that he alone could save the country. War was his panacea; he avowed himself a lover of honourable war. His grand aim was to humble France, strip her of her colonies, and destroy her commerce, thereby, as he and the traders of that day believed, making British commerce flourish. His policy was thus the very opposite of that of Walpole. Of economy and finance he was alike ignorant and regardless. For Scotland and for the union he did much when he gave effect to the wise advice of Duncan Forbes by raising Highland regiments. For the general administration, for the reform of abuses, for Ireland, he did nothing. But he was the greatest of war ministers. He had the eye to discern merit in the services, and to promote it over the head of seniority and in defiance of routine. He infused his own spirit into all. It was in Hawke, when on a stormy sea and on a dangerous coast, he replied to the sailing-master who had warned him of the peril, "You have done your duty in warning me; now lay me alongside of the French admiral." It was in Wolfe when he scaled the precipice of Quebec. No one, it was said, ever entered Chatham's closet without coming out a braver man. Promotion by merit in the army and navy was an example for the public service generally. The most signal and the happiest instance of it was the bestowal of high command on Wolfe, whose character, combining tenderness and home affection with high aspiration, valour, and chivalry, was an assurance that with much that was unsound there was something still sound in the nation.

Pitt's character was a strange compound of littleness



with greatness. His egotism was intense, and by it and the waywardness that attended it he was more than once fatally led astray. His arrogance was unbounded; the Commons bore it, but the Lords would not. The great commoner never allowed his under-secretaries to sit down in his presence. Yet to the king, even to a king who was a mere boy, his language was almost abject; a peep into the royal closet intoxicated him, and it was said that when he bowed at the levee you could almost see his hooked nose between his legs. He was always lofty, even in his letters, always theatrical; never so much himself, it was said, as when he was acting a part. Genius might and did dwell with such infirmities. It is hard to believe that wisdom or the clearest sense of duty could.

Pitt's continental ally in the war was Frederick of Prussia. That philosophic and philanthropic disciple of Voltaire, having inherited from the military maniac, his father, an incomparable machine of war, had been tempted, as he coolly avows, to use it for the purpose of making himself a name. This he had proceeded to do by a felonious attack on the dominions of Maria Theresa, the young queen of Hungary, afterwards the empress-queen, whose weakness exposed her to aggression. A deadly struggle was thus opened between him and the injured empress. The wrath of the Pompadour, who ruled France, was drawn down on him by the quips of his Voltairean tongue. In the same way he made the Czarina his enemy. He thus formed against himself an overwhelming coalition; and, without the aid of Pitt, he and Prussia with him, in spite of his military genius and the superior drill of his army, must have fallen. In the dance of European discord there had been a change of

1756

partners; England had gone over from Austria to Prussia, and France, swayed by the affronted Pompadour, had thrown herself into the arms of Austria, her immemorial foe. The flame of war, thus kindled, enveloped the whole of Europe and America, and raged over them for seven  
1760 years. At Torgau, the last great battle, twenty thousand Austrians and thirteen thousand Prussians were killed or wounded, and the wounded were left untended on the field through a night of frost. Torgau was one of a score of battles, some of them hardly less murderous, fought to make Frederick famous, while death and sorrow entered hundreds of thousands of peasant homes. Of Prussians, Russians, Austrians, and French together there had been slain, as Frederick reckoned, six hundred and forty thousand, and worse than the carnage were the desolation of whole districts, the famine, and the pestilence. An officer, riding through seven villages of Hesse, found in them one man, a clergyman, who was boiling horse-beans for his dinner. Frederick, the idol of those who worship force, bombarded a city for several days, destroying life and property, to mask the fact that a secret treaty had been made.

To act with Frederick, Pitt had to throw over all his protests against payment of Hanoverian troops, continental entanglements, and the giving of subsidies to foreign powers. But he was conquering America, he said, in Germany. America, Canada at least, he did conquer. He conquered other French colonies. He destroyed for a time the maritime power and the commerce of France.  
1759 Bells were always ringing for fresh victories, and the nation was in a delirium of pride and joy. Such was the mood, at least, of the governing classes. What was said or felt in the cottage we cannot tell.

## CHAPTER VI

### GEORGE III.

BORN 1738; SUCCEEDED 1760; DIED 1820

ONCE more the course of victory abroad was arrested and reversed by a political catastrophe at home. The old king, who had fought at Dettingen and liked the war policy, died. Frederick, his eldest son, had closed by an early death a silly and unfilial career. His grandson, George III., ascended at the age of twenty-two the throne which he was destined to fill through fifty-nine years, for the most part terribly eventful.

The name of George III. cannot be penned without a pang, can hardly be penned without a curse, such mischief was he fated to do the country. The effect even of his personal and domestic virtues was evil, in so far as they sanctified his prejudices and gave him a hold upon the heart of the people. Whatever good he did by the example of a moral court was largely cancelled by the conduct of the sons whom he brought up unwisely, and by the Royal Marriage Act, depriving members of his family of their natural freedom of marriage, which was his personal work. The moral improvement of the nation, which by this time had begun, was due less to the influence of the court than to that of Methodism, with which assuredly the court had little to do, and of the evangelical movement within the establishment which



Methodism set on foot ; perhaps also to the alarm which the spread of scepticism had given the clergy, and to a recoil from the impiety and immorality of the Voltairean school. But it was no fault of George III. that the part cast for him by destiny was not that of a ploughman, for which he had strength and virtue ; or that of a soldier, for which he had courage ; but that of a ruler of his kind.

George's education had been royal. He was brought up by courtly tutors of Tory leanings who seem to have taught him nothing that could open his mind, while they instilled into him their political sentiments. His mother, full of the despotic notions of her native Germany, was always saying to him, "George, be a king !" It is probable that Bolingbroke's ideal of a patriot king, putting all parties under his feet and ruling for the good of the whole people, had found its way into his mind. At all events, on being a king and not only reigning but governing, he was bent. The liturgy and the law were on his side. If he looked into a book of constitutional law, such as Blackstone's "Commentaries," the manuscript of which is believed to have been borrowed for his use, he would have found it clearly laid down that it was the right and the duty of a youth of twenty-two with an ominously low forehead and prominent eyes, ignorant, inexperienced, narrow-minded, and with a taint of insanity in his blood, himself to govern the country ; to make appointments, civil, ecclesiastical, judicial, military, naval, and colonial ; to grant all honours ; to call and dismiss parliament ; to exercise a veto on all legislation ; to direct foreign policy ; and by his fiat to make war and peace. Such was the legal constitution ; such is the legal constitution at this day.

The moment was propitious to George's game. The cause of the Stuarts was dead. The Tory devotees of divine right were ready to transfer their allegiance to a throne legitimized by two descents, and the occupant of which could say he was born a Briton. Jacobites began to attend the levées. The group of Whig houses which had overtopped the crown was discredited by its cabals and its corruption. The country was weary of their rule, which was no longer needed to keep out the Stuarts. They were quarrelling among themselves, so that they could be played off against each other.

George opened the game by having his declaration to the privy council drawn up without consulting his ministers, and by commanding authorities in Ireland to listen in certain cases to his instructions alone. He did not revert to the practices of his earlier predecessors by presiding in council; but he intended that instead of a prime minister with a party cabinet there should be what came to be called government by departments, without a prime minister, the head of each department holding his place solely of the crown, and all of them being under the personal but irresponsible control of the king. The king was to control the treasury boroughs, the pension list, and the other secret engines of power, to which George soon learned to add what he called "golden pills" for elections or the purchase of votes in parliament; and on a pretty large scale, as debts on the civil list, heavy and unaccounted for, showed. In time there was formed in parliament a set of "king's friends," whose votes were ever at the beck of the king, ready to trip up any minister who had crossed his will. Thus out of the grave of government by prerogative, government by influence was

to rise. To carry this plan into effect and get rid from time to time of ministers who refused submission, aptitude for intrigue was required, and with this as well as with tenacity of purpose George was by nature endowed.

It unfortunately happened, however, that the part of patriot king was filled. To enthrone George it was necessary first to dethrone William, and put an end to the pursuit of conquest and glory. To get rid of Pitt the king brought forward and introduced into the government, as an earnest of the preference of merit to party, his groom of the stole and lord of the bedchamber, the Scotch Lord Bute, the special favourite of the Princess Dowager, a courtly and dignified gentleman of high monarchical principles, with a fine leg and a solemn elocution. An opportunity for the revolution soon presented itself. The Spanish Bourbon showed that he was

1761- coming to the aid of the French branch of his family.

1762 Pitt proposed to strike him before the Spanish treasure fleet could come into port. He was outvoted by the Bute section of the cabinet and forced to resign. The king and Bute were wise enough to disarm him, and at the same time to allay public wrath, by heaping on him rewards and honours. With tears of gratitude and in language of astonishing self-prostration he accepted a pension of three thousand a year for himself and a peerage for his wife. Then he ostentatiously sold his carriage horses and offended taste by turning the cheers from the king to himself in a procession to the City. The dismissal of Newcastle soon followed. The old jobber fell honourably after all, refusing a pension, though he had expended far the greater part of his estate in the public service. Bute became, under the king, the head of the government.



Bute had after all to justify Pitt by declaring war against Spain, and in his own despite he took Havana. 1762  
But, like Bolingbroke, he sued to the vanquished for peace. Preliminaries of peace were framed. England 1762  
kept Canada with consequences presently to be revealed, Minorca, some sugar islands, and some settlements in Africa which drew her more deeply into slavery and the slave-trade; as well as her winnings in India, where her merchant conquerors had meantime been gaining ground. This was what she got for the expenditure of blood, the war taxation, eighty millions of additional debt, bringing the total up to a hundred and fifty millions, and, what proved to be a heavy item on the wrong side of the account, a renewal of deadly enmity with France. Pitt, his City worshippers said, had made commerce flourish by war. To create a factitious prosperity by the destruction of a rival marine and by war expenditure was possible. To create permanent prosperity by the destruction of wealth was not. England and France were the natural customers of each other.

The preliminaries had now to be forced through parliament. For that or any other political operation, Bute had neither aptitude nor experience. He applied to Henry Fox, who stood for hire in the political market, and for very high pay readily undertook the job. Fox bought a large majority for the court and the treaty by bribery and by a use of patronage and of official terrorism in the way of sweeping dismissals unparalleled even in that era of corruption. Bribery included the allotment of public loans on scandalously gainful terms to the friends of the government. Such was the elevation of public spirit produced by war. War as a cure for internal vices and 1762

domestic discord is not less futile than immoral. Mean propensities are not expelled by violent passions. The contractor is not turned into a hero.

1763 To the general surprise Bute, after securing his majority, resigned. He was breaking down under the burden of state and under a load of public hatred. As the supplanter of Pitt, as the author of a dishonourable peace, and perhaps still more as a Scotchman, he was so detested that his life was not safe and he had to go about guarded by bravoës. That he was the paramour of the Princess Dowager was the belief of the people, playfully expressed by burning a petticoat and a jack-boot. His ministry was weak. His chancellor of the exchequer, Dashwood, who had supplanted the able Legge, was a jest, a bad omen for the opening of a reign of merit. Suspicions of Bute's secret influence continued to cast a shadow over the scene and to form the subject of stipulations and protests somewhat peevishly addressed by the responsible ministers to the king. But for these suspicions there seems to have been not much ground. So ended the first essay of George III. to play the patriot king. Though baffled, he was not subdued. Neither his hatred of the Whig oligarchy which had overmastered the crown nor his struggle to restore personal government ceased. He had his golden pills and was enlisting his king's friends.

1763 For the present the king found himself in the hands of a ministry formed of a coalition, Whig in name but largely Tory in character, of which George Grenville was the head and the Duke of Bedford was the patron. Grenville was an honest, industrious, and capable man of business, but narrow-minded, a legal and constitutional

formalist, fitter to be speaker of the House of Commons, his darling sphere, than chief of the state. Bedford was a Tory in grain, always on the arbitrary side.

Government now became involved in two great contests. Of these contests, the first was half comical. John Wilkes was a born demagogue. His face was that of a Thersites, with a horrible squint. Morally he was a scamp and one of the debauched brotherhood of Medmenham Abbey. From principle and conviction he was entirely free, and when all was over he could jauntily tell the king that he had never been a Wilkite. At the same time he was extremely clever and daring as well as restlessly vain, and he possessed in the highest degree the arts of popularity both political and social. He could even throw his spell over Johnson, who regarded him politically as a limb of Satan, by paying skilful homage to the dictator, and helping him to the brown of the veal. Wilkes had assailed Bute, the hated Scotchman, in the forty-fifth number of his *North Briton*. The secretary of state issued a general warrant for the apprehension of the authors and printers of the number, giving no names. This led to a long battle, with actions and counter-actions in the courts of law, about the legality of general warrants, which ended, as it could not fail to end, in their condemnation. But a second issue was raised by the expulsion of Wilkes as a libeller from the House of Commons, of which he was a member. Besides the libel on Bute the government found among his papers an obscene parody of Pope's "Essay on Man," entitled an "Essay on Woman," with mock notes by Bishop Warburton, the worshipper of Pope. This impudent squib was read to the horrified House of Lords by Sand-



wich, who was himself one of Wilkes's fellow-rakes, and was made a second ground of prosecution. The House of Commons, obedient to the wishes of the court and the government, expelled Wilkes as a libeller. That House, severed as it was from the people by the defects of the representation, was not less given than kings had been to assertions of its prerogative and stretches of arbitrary power. It not only expelled Wilkes, which it had a right to do, but went on to disqualify him perpetually for election. The question thus raised as to the right of constituencies gave birth to a great constitutional fray, in which the thunders of Pitt were heard on the side of popular right, though he disdained the demagogue and denounced hatred of the Scotch. Wilkes was outlawed, returned, underwent a triumphant imprisonment, presented himself as a candidate for Middlesex, and was elected by an overwhelming majority after a tempest of excitement and riot. He was again expelled from the House of Commons. He was again elected after another storm of agitation, when the House gave the seat to Luttrell, the court candidate, who had received the smaller number of votes. Like some other political struggles, this became a combat between the democratic city of London and the oligarchical House of Commons. In the end the House of Commons, weakened by other reverses, succumbed, and erased the proceedings against Wilkes from its journals. Wilkes meanwhile became the idol of the hour, was elected to the highest offices of the city, and touched the civic skies with his impish head. On this as on all occasions, the king was for arbitrary measures; his temper got the better of his policy and, instead of posing as the guardian of public

right against the encroachments of the House of Commons, he pressed the prosecution of Wilkes, thus spoiling his own game if his intention was to play the patriot king. In fact he could play the king but not the patriot.

The other contest, far from being comical, was the most tragical disaster in English history. The thirteen American colonies of England now stretched in a line of seventeen hundred miles along the coast of the Atlantic from bleak Massachusetts to the sunny South. They were of different origin, but had for the most part been founded by religious or political exiles, who carried with them the spirit of resistance to oppression. In the north was the descendant of the exiled Puritan; in the south was the descendant of the exiled Cavalier; in Maryland the Roman Catholic had sought a haven of refuge from the penal laws; in Pennsylvania the Quaker had found freedom from a state church. To these had recently been added Irish Presbyterians, fugitives at once from the tyranny of the Irish episcopate and from British restrictions on Irish industry. The Puritan, though he had lost much of his religious fire, had kept his political republicanism, and had added to it a spirit of litigation, fostered by the lawyers, who were his social and political chiefs. The descendant of the Cavalier was a slave-owner, with the haughty pride of that character and a Roman love of liberty for the master class. As in origin, the colonies differed somewhat in constitution; some were royal; some were proprietary, a remnant of sovereignty remaining in the heir of the founder; some were chartered; but all had acquired something like a counterpart in miniature of the parliamentary government of England, and were instinct with British ideas of liberty, of the Great Charter,

and of the Statute against Arbitrary Taxation. The political connection with the mother-country was maintained through governors sent out by the crown or the Proprietary. The colonies had felt in some measure the tyrannical aggressions of the later Stuarts, but from these they had been delivered by the Revolution. They fully enjoyed the personal liberties of Englishmen; on the whole they had been left to develop themselves as commonwealths in beneficent neglect; and though there was a certain amount of chronic friction between their local assemblies and the governors, who were often corruptly appointed, they had politically little cause for complaint, nor did they seriously complain. Governors were sometimes useful in controlling the indiscretions of young communities, notably with regard to the issue of paper currency.

Commercially it was far otherwise. The colonies generally were treated by the mother-country, according to the notion universally prevalent in those protectionist days and accepted by Montesquieu, as existing for her commercial benefit. They were forbidden to manufacture articles which she manufactured, to buy of anybody but her, and to carry their goods to any but her market. Their shipping industry was also restricted by her navigation laws for the benefit of her carrying trade and her navy. Colonists could not export their sugar, their tobacco, their cotton, their indigo, their ginger, their dyeing woods, their molasses, their beaver, their peltry, their copper ore, their pitch, their turpentine, their masts or yards, their coffee, pimento, cocoanuts, raw silk, hides, skins, potash and pearlash, or with some exceptions their rice, to any place but Great Britain, not even



to Ireland. Nor might any foreign ship enter a colonial harbour; nor, with certain exceptions, of which the principal were salt and wines, could the colonists import from any country but Great Britain. The American colonists were debarred from the free sale, and thus practically from the manufacture, of cloth, from the manufacture of hats, though theirs was the land of the beaver, from iron manufacture of the higher kinds, though their country abounded in ores, as well as in wood and coal. While their free labor was thus discouraged they were forbidden to put a limit to the slave-trade as, from economical motives, though not from motives of humanity, they desired. Trade, even with British dependencies, was granted them as a special boon and in sparing measure. Commercial privileges, it is true, supposed to be countervailing, were conceded to them. But these privileges did by no means countervail, and the colonial system of England, though liberal compared with the Spanish system, and practically mitigated by contraband trade, was still so galling that in spite of the ties of race, history, and a common flag, there would probably have been a rupture long before had the colonies not been bound to the mother-country by a strong tie of another kind.

Such a tie there was in the need felt by the colonists of Britain for protection against French ambition which threatened them from its citadel at Quebec. They outnumbered the French thirty to one, and were certainly not inferior to them in natural valour. But they were farmers and traders, while the French-Canadian was as much of a bushranger as either, and was backed by the army of France as well as aided by the tomahawk of the Indian savage, to him a too congenial ally. The French

forces were wielded by the single hand of a despotic governor, while the English colonies were disunited, and the most warlike, those of the southern slave-owner, being farthest from the point of danger, were the least willing to take arms. Confederation for the common defence had been essayed, but, owing to mutual jealousies, it had been essayed in vain. The colonists, therefore, were glad to be sustained by the mighty arm, and to be united under the leadership, of the mother-country. After the conquest of Canada there was an outburst of loyal affection, and Pitt was as much idolized in British America as in Great Britain. But, as shrewd observers at the time foresaw, when the fear of France departed attachment to England cooled. From that time there was among the republicans in Massachusetts a party which aspired to independence and was ready to embrace the first occasion of breaking the chain. Its apostle was Samuel Adams, who, finding himself unfitted for trade, had turned his mind to political agitation. Thus Pitt's glorious conquest brought in its train calamity, poorly compensated by the acquisition of a French colony which England failed to assimilate, and which added nothing to her wealth or to her real power.

The war being over and the day for payment having come, George Grenville, then minister, resolved to do that which the prudence of Walpole had shrunk from doing. He resolved to tax the colonies. He wanted to lay on them a part of the burden contracted partly for their behoof, and to make them maintain for their common defence a standing force, independent of local parsimony or caprice. It did not occur to him that they were already being heavily taxed by commercial restriction

and the navigation laws. The pressure of the commercial restrictions he, just at the wrong moment, aggravated by issuing orders for stricter enforcement and the suppression of smuggling, thus closing the safety-valve of the most dangerous discontent. Grenville's object was purely fiscal or military. He was constitutional, though a political martinet; he intended no aggression on colonial liberties, nor is there good reason to suppose that he was originally inspired by the king. In fact, he was not on the best terms with the king, whom he bored with his tedious homilies in the closet. But he was a parliamentary pedant who took the statute-book for policy as well as law. He pitched upon a stamp tax, after consulting the agents of the colonies, as the least odious form of taxation. He tried to gild the pill with commercial boons. But Massachusetts was ripe for revolt. Samuel Adams and his circle had leavened her with his doctrines; lawyers were her political pastors; her taverns were full of political debate and agitation. She rose at once in angry protest, forcibly resisted the execution of the Act, levelled the stamp office, wrecked the house of the stamp distributor, compelled him to resign his office and swear never to resume it, burnt the records of the admiralty court, rifled the houses of its officials, and gutted the mansion of the Lieutenant-Governor, who barely escaped with his life. Her lips continued to speak the language of loyalty, but her hand had raised the standard of rebellion. Pitt, now out of office, applauded her in his unmeasured way, saying that three millions of people, if they allowed themselves to be made slaves, would be fitted to make slaves of the rest. He drew a distinction between internal taxation and external taxation or anything which could be described

1765



as regulation of trade, asserting the right of parliament to lay any impost or restriction it pleased on colonial commerce, to prevent the colonists, if it chose, from making a nail for a horseshoe, but denying its right to levy internal taxes such as the Stamp Act. The difference between one mode of taxation and the other was, according to him, the difference between freedom and slavery. It was clear enough that the supreme power of legislation must carry the power of taxation with it. Whether the power of taxation could be justly or prudently exercised was another question. The colonies were unrepresented in parliament. So it was said, and with bitter truth, was a great part of the people of England. But then the people of England were on the spot; without having votes they might influence parliament; in the last resort they might reform their representation. The general interests of all Englishmen, enfranchised or unenfranchised, were the same. Adam Smith, indeed, had proposed that the colonies should be represented in parliament. But diversity of interest and character as well as a six weeks' voyage stood fatally in the way of that solution. Wisest were they who, like Dean Tucker, said, "If the colonies refuse to contribute to the burdens of the empire, let them go; we have nothing to gain by keeping them against their will." The fact was that the colonial system was fundamentally unsound; it had its source in the feudal idea of personal allegiance; there was no reason why countries on the other side of the Atlantic and capable of self-government should be dependencies of a European power at all; they ought to have been free and followed their own destinies from the beginning. The only sound reason at least for the retention of the tie

was the danger to which these colonies, unshielded by the mother-country, might have been exposed from the aggressive ambition of France; while, if left to themselves, they would with greater readiness have combined for their own defence and they would have enjoyed exemption from imperial wars.

For the present the storm was laid. Grenville went out in consequence of a misunderstanding with his master about a Regency Bill which had been rendered necessary 1765 by the first appearance of mental malady in the king. He was succeeded, after the usual round of intrigue and cabal among the different aristocratic connections, and the usual struggles for the emancipation of the royal power on the part of the court, by Lord Rockingham, a sporting grandee of second-rate ability, and so bad a speaker that one who attacked him in debate was upbraided for worrying a dumb animal, but sensible, liberal, and a man of honour. Pitt unfortunately refused to join. He was too much under the sinister influence of his brother-in-law, Lord Temple, an arch-intriguer, who wanted a Grenville ministry. But Pitt himself was wayward, and hated the connections. His ideal, like that of George III., was a patriot king, putting faction and oligarchy under his feet, only that Pitt's king was to be William and not George. At his side Rockingham had a man far more memorable than himself, Edmund Burke, the Irish adventurer, as members of aristocratic connections called him, without a landed estate, or any capital but genius and learning, who had done Rockingham the honour to select him as his political patron. By Rockingham's ministry the Stamp Act was repealed, to the delight not 1766 more of the loyal colonists than of British merchants,

who, having suffered by colonial boycotting of their goods and the withholding of colonial debts, thronged the portals of the House of Commons on the eventful night, and, says Burke, beheld the face of General Conway, who had moved the repeal of the Act, as it had been the face of an angel. At the same time, to salve the wounded honour of parliament and satisfy the arbitrary temper of the king, an Act was passed declaring that the British legislature had power to bind the colonies in all cases. Such a settlement, theoretically inconsistent, but in appearance at least practically wise, savours of Burke, who in this as on all occasions maintained that government was a matter not of abstract principle, but of practical wisdom. He would be willing to waive any question about principle so long as the practical grievance was removed. The sequel showed, however, that abstract principles sometimes require attention. Burke might have found it difficult to say what a legislative supremacy was worth when it was not to be exercised, and, generally, what was the meaning and value of the connection. Had he not been a free trader, he might have pointed to the imperial monopoly of trade as a warrant for the colonial system; an argument which is wanting to the maintainers of the system at the present day, when a colony if it pleases can treat the mother-country as a commercial enemy and lay protective duties on her goods. The colonies, however, glad to be rid of the tax, acquiesced in the theoretic declaration, and peace for a time returned.

Not for a long time. The Rockingham ministry, weak in itself, and frowned upon in waywardness if not in selfishness by Pitt, soon fell. The king had to go back to Pitt, who formed a ministry after his own pattern with-



out regard to connection or party; a mosaic, as Burke, a liegeman of the Rockingham connection, called it, of pieces taken from all political quarters, diverse in their colour, and totally strange to each other. The nominal head was not Pitt, but the Duke of Grafton, a somewhat indolent grandee, who spoke of the affairs of the turf as more important than those of state, and shocked public decency by his open immorality; yet honourable and sensible, as well as devoted to Pitt. Pitt himself sank into the office of Privy Seal. More than that, he sank into a peerage, leaving his oratoric throne in the House of Commons and passing into the limbo of the upper House as the Earl of Chatham, not without loss of his hold upon the people. His health was failing. Presently suppressed gout, not unmingled, perhaps, with the influence of that uncontrolled egoism which is the source of moral insanity, reduced him to a condition in which he could not be approached by his vicegerent Grafton, or even by the king, but lay, as scoffers said, on his back at Hayes talking fustian, while the ship of state was left to drift without a helmsman. It drifted into the maelstrom. Chatham being out of the way, the strongest, or at least the most aspiring and active, member of the government was Charles Townshend, a reputed man of genius, the leading wit of the day, the author of the famous champagne speech, and light and frothy as the beverage by which that speech was inspired. Partly, it seems, to redeem a reckless pledge, Townshend determined to repeat Grenville's experiment in another and, as he thought, a safer form. He laid duties on tea and some other articles imported by the colonies. This, he thought, would be external, not internal, taxation, while none of the duties were heavy, or, for the revenue

1766

1767

which they would produce, at all worth a dangerous experiment. Nevertheless, the winds which had slumbered in the colonial cave were again let loose. At once Samuel Adams was joyously at work. Again Massachusetts protested and rebelled. Again there was a reign of riot and outrage, this time more violent than before, culminating in the burning of the king's revenue-cutter and the tossing of a cargo of tea into the water. No government could bear this tamely. But the measures of repression were violent and unwise. The port of Boston was closed; the charter of Massachusetts was forfeited; an odious statute of Henry VIII. for transporting persons accused of treason beyond sea to England for trial was revived on the motion of the Duke of Bedford; and though no action was taken on it the wound inflicted by the insult was deep. Troops were sent to Boston, where there had before been a collision between the soldiery and the people, attended by the loss of a few lives, and styled by popular wrath the Boston Massacre. Sinister events now marched apace. Attempts at reconciliation were still made. All the duties except the duty on tea were repealed, and assurance was given to the colonists that no more would be imposed. There seems reason to believe that full satisfaction would have been given had not Hillsborough, who was for coercion, falsified the minute of the cabinet. On the colonial side there were men like Dickinson who desired peace with justice; but there were also men like Samuel Adams who, though they still found it politic to wear the mask of loyalty, were resolved that there should be no peace. Of the two men who might have mediated, Chatham was lying on his back, Franklin, the American Solon, had discredited him-

self by the use of stolen letters, a heinous offence in the eyes of men of honour, however loose their morality might be, and had been estranged by the abuse showered on him on account of that misdemeanour before the privy council by the coarse lips of the sycophant Wedderburn. The temper of the king had now been fatally awakened, and he had a great body of opinion on his side. The pride of the imperial people had taken fire at the insulting violence of colonists whom their arrogance regarded as subjects. The clergy preached everywhere against rebellion; so did Wesley; and the Tory squires were all for vigorous repression. On the American side platform and pulpit spouted patriotic fire. Burke, in pamphlets pregnant with undying wisdom, pleaded for reason, moderation, and peace; but against the storm of passion he pleaded in vain.

Soon the colonies unfurled the standard of open rebellion, took arms, united in a continental Congress, and set up a revolutionary government for the conduct of the war. The first gun was fired at Lexington, near Boston, on which the royal troops having marched to destroy revolutionary stores, suffered heavy loss from the rifles of the American volunteers; a presage of the general character of the conflict and of its destined issue. There presently followed the famous Declaration of Independence, drawn up by the Virginian Jefferson, whom the Democratic party in the United States revered as its father. This document, commencing, in the metaphysical spirit of that age, with abstract propositions of human equality and inalienable rights, penned by a slave-owner, proceeds to level charges against the king and his government, some of which were well founded, while others injure by



their untruthfulness or exaggeration the cause in which they are employed. Measures of repression, taken after insurrection and outrage, are described as normal and characteristic acts of British government. In Jefferson's draft there was a virulent clause fixing upon George III., who was no monster of inhumanity, the personal responsibility for slavery and the slave-trade. The framer of that clause never emancipated his own slaves. The Declaration of Independence, however, is memorable as closing in politics the era of tradition and opening that of speculative construction. It was to be followed by the French declaration of the Rights of Man.

1768 Chatham having at last in a fit of waywardness resigned, upon a nominal pretext, and afterwards turning against his own ministry, the ministry fell, and its fall was followed by the usual chaos of cabal. But in the absence of any first-rate or leading man, the king was able to put at the head of the government a man of his own, Lord  
1770 North, whose ministry unexpectedly, and for the country most unhappily, proved strong. With Bute, a mere favourite, the king failed; with North, thanks to the selfish discord of the connections and the decrepitude of Chatham, he succeeded. Instead of cabinet government, under the supremacy of the prime minister, there was now what George desired, government by departments under the supremacy of the king. The patronage and parliamentary influence of the crown sufficed to secure a majority for the administration. North, round whose head a historic aureole of infamy has gathered, was neither bad nor wanting in capacity. With an unwieldy and ungainly figure, protruding eyes and sputtering utterance, he had great aptitude for business, great industry, great tact and

readiness, as well as imperturbable good humour in debate. Through the storm of invective he tranquilly dozed between his law officers Thurlow and Wedderburn, the twin pillars of his administration. So he is depicted by Gibbon, who was one of his regular supporters, and to whom, as a Voltairean monarchist, his political character was congenial. He was very happy in repartee, as when he complimented a member who presented a petition from Billingsgate and accompanied it with violent abuse of the minister, on having spoken not only the sentiments but the language of his constituents. Nor, though the King's nominee and a minister of prerogative, was he by any means himself disposed to violent or tyrannical courses. His easy good nature was his fault. His crime was compliance with the arbitrary and obstinate temper of the king, at whose bidding he carried on a struggle to which he was himself disinclined, and which, had his hands been free, he would have closed. His infamy shows that amiable weakness is criminal in a statesman.

The advocates of armed coercion said that the king had a large party in the colonies on his side, and that the colonists would not fight. In the first belief they were right. The loyalists were at least as numerous as the pronounced revolutionists, and they had amongst them a large proportion of the wealth and education, though combined with elements from the other extreme, while the strength of the revolution lay chiefly in the yeomanry and middle class. Their number was presently reduced, and the zeal of many of them was cooled by the arbitrary violence of the king's officers and the excesses of his hireling troops. Yet to the end of the war it remained large, and their constancy testified to the comparative mild-

ness and beneficence of the British rule. The belief that the Americans would not fight was a mistake. As riflemen in irregular warfare they fought well. But in pitched fields the king's troops, though many of them were hired Germans, and though they were led by such generals as Gage and Howe, conquered, and an army which cannot hold its own in the open field must in the end succumb. Had the lazy or half-hearted Howe pressed the advantage which, early in the day, fortune threw into his hands, the revolution would probably have been defeated for a time, and Great Britain would have recovered a supremacy which, after the fatal estrangement of the colonial heart, would have been but her weakness and her bane. When from patriotic oratory or the tarring and feathering of Tories it came to real war, and that war opened with reverses, colonial fire began to cool. Men compared the cost of the conflict with its cause. Discontent, disunion, defalcation, and cabal set in. The militiaman would fight for his own homestead but not for the common cause. Bodies of militia, when their time was up, marched away from the camp on the eve of battle. The edicts and requisitions of congress were disregarded. The purchasing power of the paper money which it issued in volumes sank to zero. At last  
1780 despair begot treason, and Benedict Arnold conceived the design of playing Monk. The salvation of the colonial cause was its leader, who by a happy choice had been taken from Virginia; a wise propitiation of the slave-owning aristocracy of the South, which would hardly have accepted a leader from mercantile New England. Washington's patriotism, constancy, and courage rose serene, not only over disasters in the field, but over the



still more trying embarrassments of his situation, and, united to his powers of command, held together the half-clothed and ill-fed army which was the last hope of the cause in the winter camp of Valley Forge. With difficulty he persuaded Congress, instead of a local militia which was always moulting, to set on foot a continental army under regular discipline. In him, as in Cromwell, amid the deepest gloom hope burned as a pillar of fire. Yet at last even Washington almost despaired.

The turning point was the disaster of Burgoyne, who had marched from Canada down the Hudson and was to have met Clinton moving from New York. The combination failed, owing, if tradition is true, to the insolent carelessness of Lord George Germaine, North's incompetent war minister, who, having been dismissed the army for misconduct at Minden, had by his rank and interest forced his way into political office, where his worthlessness was still more fatally displayed. Burgoyne, surrounded in a tangled country by swarms of riflemen, was compelled with his whole army to surrender. France 1777 now grasped her opportunity of revenge for the loss of Canada and all the humiliations inflicted on her by Chatham. Already Lafayette, a light-headed young aristocrat, caught by the revolutionary theories which were presently to guillotine his order, had gone forth as a knight-errant to fight for American independence. For some time it had been apparent that France meant mischief and that her disclaimers were lies. She now impudently threw off the mask and sent a fleet and army to the assistance of the Americans. Chatham would 1777 have dropped the colonists and turned on France. But

1778 Chatham had passed away after a dramatic death-scene in the House of Lords, still upholding the American cause, yet still protesting against the severance of the imperial tie, and the court had shown the aversion which, mingled with fear, it had felt for him by refusing to take part in his funeral and deprecating the erection of a monument to his memory. North, after a feeble and hopeless attempt at reconciliation, went on with the war, success in which was no longer possible, since by the accession of the French navy to the American side England had lost the free command of her sea base. The nation finding itself disappointed of the speedy victory which had been promised, was growing weary of the war, and it was with difficulty that troops were raised. North, in fact, had long had the good sense to see the folly of prolonging the struggle. But the king was still obstinately bent on coercion, and North, instead of resigning, stayed in office to do his master's will. This he fancied was loyalty; it showed the unsettled state of the constitution. The king and the war party were practically confirmed and seconded in their policy of coercion by the violence of the opposition. The leader of the opposition, Charles Fox, the favourite son of Henry Fox, the master of corruption, had shown when he was little more than a boy miraculous facility as well as astonishing assurance in debate. His mind was highly cultivated as well as powerful; while his warmth of heart, generosity, and joviality, combined with his brilliant ability, had attached to him a large circle of devoted friends. But he was a gambler and a debauchee, losing enormous sums in play, spending whole nights over the bottle; and he carried the gambler's recklessness into

public life. He set out as a violent upholder of prerogative and of the arbitrary action of the House of Commons. No one was more forward in the tyrannical treatment of Wilkes. Thrown to the other side by personal resentment, he showed the same violence in his new camp. Fox had human sympathies, broad and warm. For his own country he seems to have had no predilection. He could rejoice in her defeat, and lament her success if the defeat damaged and the success strengthened his political opponents. Not only did he oppose the war and denounce the ministers in the most unmeasured terms; he displayed indecent sympathy with the enemies of the state, wearing the colours which they had assumed and openly exulting in their victories. Burke, who was at his side, if he did not take part in all this, must have acquiesced. The effect, as a good observer remarked, was to inflame the spirit of the war party and goad its pride to persistence in the war.

All the enemies of England now gathered, vulture-like, round her apparently fainting frame. Spain joined the league, not from sympathy with the Americans, whom she had reason to fear as neighbours to her American dependencies, but from the passionate desire, which never left her, of recovering her Rock. Holland was drawn in while she contended against the right of searching neutral vessels for enemy's goods, asserted by England and of vital importance to a maritime state in war with continental powers. Russia and the other Baltic powers formed a menacing league of armed neutrality with the same intent. The British waters saw the British fleet flying before the combined fleets of France and Spain. Never was England so near her ruin. At last, Cornwallis, the



1781

one royal general who had shown ability in America, after a run of victory in the field, was cut off on a tongue of land at Yorktown by the united armies of France and America, vastly superior to him in numbers, and a French fleet, and was compelled to surrender. This was a fatal blow. North could go on no longer; the king was compelled to succumb; and the American colonies were free.

The loss was a gain in disguise, so far as military strength, commercial profit, or real greatness was concerned. The colonists had refused to contribute to imperial armaments or submit to imperial legislation. Trade with them, instead of being diminished by their emancipation from the colonial system, greatly and rapidly increased. To suppose that Great Britain could have held even a nominal suzerainty over them to this hour would be absurd. The parting was sure to come. What was deplorable was the manner of the parting, which entailed a deadly schism of the race, and left a long train of bitterness and mutual animosities behind. The children of Spain in the new world, though Spain was a far worse mother than England, forgave or forgot; but the children of England cherished against her a persistent hatred. Much is due to the retention of Canada and the continued presence of Great Britain on the American continent as a political and military power in antagonism to the United States. For this, however, Americans have themselves to thank. There were at the time Englishmen who would gladly have withdrawn from the American continent altogether; and had it been a mere question of policy, those counsels might have prevailed. But policy was controlled by honour. Instead of closing the civil war with amnesty, the vic-

torious party in America chose to expel the vanquished, and thousands of loyalists, Tories, as their enemies called them, testified by going into exile their unshaken attachment to the mother country. For these a home was to be found under the British flag, and it was found in Canada, Nova Scotia, and New Brunswick. Congress rejecting or evading by an ironical reference to the States a claim for indemnity, Great Britain gave the loyalists indemnity to the extent of three millions and a half.

A struggle, calamitous in itself and in its result, closed not ingloriously to Great Britain. War with France, Spain, and Holland was not a war with kinsmen, and the spirit of the nation rose again to the combat with its ancient foes. By the repulse of Spain from Gibraltar, by her defeat in the first battle of St. Vincent, and by Rodney's victory over France in the West Indies the honour of the flag at least was saved. Of all the parties concerned the French monarchy in the end suffered most. The reward of its vindictive and hypocritical league with American rebellion was bankruptcy followed by revolution.

1779-  
1783  
1780  
1782

George III. had thrown himself vehemently into the war, and had struggled to the last against the recognition of colonial independence. For the protraction of the contest the king was personally responsible. He might well feel that with the interest of imperial supremacy in America was bound up that of prerogative at home. Chatham had said that three millions of Britons, if they were made slaves, would be fit instruments for making slaves of the rest. Yet in fact no great depression of the monarchy ensued on this defeat, and the course of events soon took the opposite turn.

A few years afterwards commenced the British coloni-

zation of Australia, the way to which had been shown by Cook. A convict ship was not a *Mayflower*, nor was Botany Bay a Massachusetts; but in time the taint was worked off, and in another hemisphere the loss of colonies was repaired.

The worst political consequence of the American catastrophe was the legislative secession of Ireland. The state of the island under the combined operation of religious intolerance embodied in penal law, commercial restrictions, an alien church establishment, and a government of patronage and corruption had few parallels in the annals of misfortune. It had been treated as an alien dependency, the commerce and manufactures of which, in conformity with the cruel fallacies of the day, were to be repressed in the interest of those of the imperial country; the growth of industrial life and of all its influences, social as well as material, being repressed at the same time. Artificial encouragement of the linen trade was a poor compensation for prohibition of the natural trade in wool. The mass of the population were now cottiers, little above the condition of serfs. They were ground down by the landlord, or, as the landlord was often an absentee, by his middleman, who screwed out his rack-rent, and by the tithe-proctor, who collected tithes for the clergy, also often non-resident, of a hostile church. Refuge there was none; other industries having been ruined by the restrictions on manufactures and trade, there was left to the peasants only the land, for which they competed with the eagerness of famishing men. In addition to all these burdens the peasant had to bear that of paying the priests of his own religion, to which he faithfully clung, while the



priests, fitted by celibacy for a lot of poverty and danger, continued their ministrations in face of the penal law, and were the only guides and comforters of the oppressed people. The prohibition of trade bred a general habit of smuggling. The persecution of the popular religion made the people and their guides see enemies of religion in government and law. These are the pleas for Irish lawlessness, which, however, had been not less in the time of the clans. Illicit enlistment for the catholic armies of the continent was constantly going on, and must have carried off much of the best blood and sinew of the country. All catholics being excluded from the Irish parliament and from the franchise, the laws were made by an assembly avowedly hostile to the mass of the population. Persecution was still the rule of Europe. In Ireland there was many a Huguenot who had fled from his catholic persecutor. What was singular and especially hard in the Irish case was that it was a persecution of the vast majority by a minority resting on external power. Persecution in Ireland was also two-fold, for the Anglican hierarchy insisted upon imposing on the Presbyterian colonists of the north religious disabilities which, combined with the blighting of trade, drove many of them across the Atlantic. The coincidence of a division of race with a division of religion, and of the two with the internecine struggle for land, put a terrible gulf between the gentry and the peasantry, while of the gentry many were squireens or middlemen, as tyrannical and insolent as they were worthless. Such a combination of curses the world has seldom seen. For food the peasant was being driven to the barbarous and precarious potato. Sometimes there was actual

famine. Swift in hideous satire proposed that babies should be used as food. In time the feeling of increased security among the dominant sect and race relaxed the practical rigour of the penal laws, and the  
 1745 Lord-Lieutenancy of Chesterfield, a free-thinker, was a golden era. This was the sole improvement.

But it was not from the enslaved that revolt came; they, thoroughly quelled by their last great overthrow, had sunk into the apathy of despair, and stirred not in 1715 or in 1745, though each time the alarm of the dominant minority produced a fresh spasm of oppression. The revolt came from the ruling race, galled by the commercial restrictions, incensed at the abuse of patronage and the pension list, full of their chartered rights as Britons, and stimulated by American example. In striking against the short-sighted avarice of the British trader the Irish parliament had reason and justice on its side, in striking for legislative independence it was in the awkward position of a minority, holding by virtue of its connection with the imperial country a monopoly of power with which it did not mean to part. Swift out of mischief, Molyneux and Lucas inspired by a more genuine patriotism, had written in favour of legislative independence. The success of the American rebellion and the prostration of Great Britain set the spirit of disunion at work. North made commercial concessions on what, for that day, was a liberal scale. But these did not satisfy the Irish patriots. Under pretence of  
 1778- defending the island against French invasion, they raised  
 1781 a force of fifty thousand volunteers, and demanded the severance of the two bonds of dependence, Poyning's Act, passed in the reign of Henry VII., which put Irish

legislation under the control of the English privy council, and the Act of George I., affirming that the parliament of Great Britain had power to legislate for Ireland. A moderate regular force would probably have sufficed to put down the volunteers with their somewhat bombastic and very bacchanalian leaders. But the British government was hard pressed by opposition at home as well as by a host of enemies abroad; it gave way and granted Ireland legislative independence. Grattan, the eloquent chief of Irish patriotism, in a passionate burst of rhetoric adored the risen nation before a parliament from which five-sixths of that nation were excluded. The only constitutional link now left between the two islands was the crown. But the crown had its nomination boroughs in Ireland; it had a vast fund of patronage, both civil and ecclesiastical; and an Irish patriot was seldom a Cato. Above all, the oligarchy of protestant landowners was at heart conscious what, if the tyrannical arm of Great Britain were really withdrawn, its fate would be. Great Britain held by the ears the wolf by which Irish oligarchy would have been devoured. 1781

Against such a course of scandals, parliamentary and administrative, as that which ended in the American catastrophe and Irish secession, if political life was left in the nation, reaction was sure to come. In the British nation political life was left. Public wrath had found utterance in the Letters of "Junius," whose keen and glittering weapon was sometimes the sword of patriotic indignation, though more often it was the dagger of personal malice. Mystery, combined with daring personalities, invested a writer whose excellence is not far beyond the reach of a clever journalist of the present day, with an exaggerated interest, 1769-1772



so that even Burke spoke of him with awe. A far grander and nobler advocate of reform was Burke himself, with his  
1770 "Thoughts on the Present Discontents," denouncing as the source of the evil court influence, which, with its mercenary phalanx of king's friends, and its vast patronage, parliamentary and official, had taken the place of prerogative. Burke's remedy was the revival of party, which he idealizes as a body of men united on a particular principle for the promotion of the national interest, while he would no doubt have found for it a practical basis in his own, that is the Rockingham, connection. To diminish court influence Burke moved for an economical reform, abolishing sinecure offices, setting a limit to pensions, reducing the preposterous expenses of the royal household, and retrenching a civil list on which there was a debt of six hundred thousand pounds contracted partly by waste, partly, there can be little doubt, by the administration of the king's golden pills. Dunning actually carried, in  
1780 the House of Commons, a resolution that "the influence of the crown has increased, is increasing, and ought to be diminished." Chatham proclaimed the necessity of a  
1770 reform of parliament, proposing, not to abolish the rotten boroughs, an attempt which, bad as the system might be, he appears to have deemed hopeless, but to increase the representation of the counties, which, though in the hands of the local aristocracy and squires, was comparatively open and pure. The Duke of Richmond proposed  
1780 annual parliaments and universal suffrage, showing that when an aristocrat does break away from the policy of his class he is apt to break away from it with a vengeance, not the less if he is a magnate of the first order and feels that his own position is in any event secure.

Not Liberalism only, but Radicalism was championed in parliament by Wilkes and Sawbridge, outside the House by Horne Tooke, a clergyman self-unfrocked, a man of character, force, and learning, the leading spirit of a society for upholding the Bill of Rights. This, too, is the natal hour of political powers outside parliament, the Platform, the Stump as Americans call it, and Organized Agitation. At Middlesex elections, where Wilkes was the candidate, the platform would bellow its loudest. It spoke in accents infinitely more august and memorable by the mouth of Burke, rendering his account to his constituents and defining the true duties of a member of parliament as those of a representative, not a delegate, on the hustings at Bristol. The counties, with their electoral meetings of freeholders, were organizations ready formed for political action. When the scandals had reached their height, a meeting of the freeholders of Yorkshire, the greatest of these constituencies, was held at York, and was addressed by the leading men of the district. The example was followed by twenty-eight other counties. Presently the movement burst through the limits of the county or borough and became national. An association to promote economical reform was set on foot with a central committee, and advantage was taken of the right to petition guaranteed by the Bill of Rights to bring moral pressure to bear upon parliament. Borough-mongers, sinecurists, and king's friends began to quake.

The immediate outcome, however, was not great. The association for economical reform was compromised, as organized agitations are apt to be, by the violence of some of its members, which gave occasion to its enemies to represent it as a seditious attempt to overawe the legisla-

ture and make the people instead of parliament supreme. When, from promoting economical reform, it proceeded to take up the reform of parliament, it laid itself open to a charge of departure from its original object, which lost it some adherents. Reform of the representation nothing short of absolute terror could wring from the patrons of boroughs. To them such reform was political death, while economical reform was loss of that which made political life worth living. Dunning's victory was not sustained; court influence and corruption presently turning the scale  
 1780 against him. Burke's motion for economical reform was allowed to pass; but when his party came into power, and the patronage was theirs, his scheme was cut down  
 1782 so that the result was only a reduction of seventy-eight thousand pounds a year, to which Burke himself, being then Paymaster, nobly added a renunciation of the irregular emoluments of that office. It was, however, a substantial gain when contractors were prohibited from sitting  
 1782 in the House of Commons, the votes of excisemen, said to turn seventy elections, were taken away, and a limit was put to the granting of pensions. The practice of deciding election petitions by a party vote, from which the American Congress is not yet free, had been abolished  
 1770 by Grenville, who passed an Act referring those cases to a judicial committee of the House. The House of Commons had renounced its usurped power of disqualifying for election. After a violent contest between the House and the city of London, a by-plot to the drama of Wilkes, brought on by a futile attempt of the House to punish a printer for publishing its debates, the liberty of  
 1771 reporting and printing the debates had been practically conceded. This no doubt made members more respon-



sible to their constituents and tore away the mask from self-prostitution. On the other hand, when the reporter comes in deliberation must go out. Interchange of thought, suggestion, modification, or withdrawal, such as deliberation requires, become impossible when every word is taken down. Members speak not to the House but to the reporters. From that time, at all events, the House has been not so much a national council as an oratorical battlefield of party, though its debates may furnish a test of ability and give impressive utterance to the opinions of the country.

Liberty of opinion ultimately gained an important step by the agitation of these times. In the course of the political conflict the law of libel had been brought under discussion, and the right of the jury to pronounce on the character of the alleged libel as well as on the fact of publication had been asserted upon one side and denied upon the other, Mansfield's strictly legal intellect taking the illiberal side. For the present the legal decision was suspended; but the jury had morally won the day.

Obstructive prejudice was not confined to the court or the patrons of boroughs. It was strong also, after its kind, among the masses, who by their violent manifestations of it compromised the cause of reform. Roman Catholics, of whom there were still many old families in the north, laboured under a mass of accumulated disabilities, such as, if the law had been strictly enforced, would have deprived them of the rights not only of citizens, but of parents, proprietors, and men; though it seems they had practically been little molested, and had performed their worship, educated their children, and transmitted their estates in peace. Toleration having made way among

men of the world, a Bill abolishing some of the disabilities was carried by Sir George Savile, a steady and most respectable advocate of liberal legislation. Hereupon the old popular hatred of popery again broke out, first in Presbyterian Scotland, where it was most intense, and afterwards in England. A great anti-Catholic Association was formed under Lord George Gordon, a protestant maniac, who ended by turning Jew. The presentation by him of a monster anti-Catholic petition was followed by a frightful uprising of the mob of London. For three days the great city was in the hands of an infuriated and intoxicated rabble which revelled in destruction, arson, and every kind of outrage, though, British savagery having limits, nobody was hanged in a lamp iron, nor were any heads carried on pikes. Authority was paralyzed and the metropolis was saved by the decision of the king, who took it upon himself to order the troops to fire. The ministers had hesitated and by their hesitation shown their fear of public sentiment and their respect for the letter of the law. So strong was still the feeling against the religion of Bloody Mary and Guy Fawkes, that even the reform of the calendar, carried by the free-thinking Chesterfield, was denounced, not only because it robbed the people, as they said, of eleven days, but because the reformed calendar bore the name of a pope. The Lord George Gordon riots would make it far from clear that in the existing condition of popular intelligence the Duke of Richmond's scheme of annual parliaments and universal suffrage, or anything approaching to that scheme, could work well. In fact, this and other disturbances threw back the cause of reform.

On the fall of North the Tory king was compelled to go

back to the hated Whigs, and the government was formed 1782  
 by Rockingham, with Burke again as his prompter and  
 Fox as his foreign minister. But Rockingham died, and 1782  
 there ensued a struggle in the cabinet for supremacy  
 between Shelburne, who leaned to the court, and Fox.  
 Shelburne for an hour became prime minister. He repre- 1782  
 sented Chatham's general policy and had a young Pitt at  
 his side. This man is an enigma. He seems highly en-  
 lightened for his day; he is a sound economist and a  
 pioneer of free trade. His policy towards America is  
 liberal; he is against coercing her. Afterwards he  
 wishes to heal the rupture with her, as a family quarrel  
 now at an end, to renew the family connection, and ami-  
 cably share the family inheritance. There appears to  
 be much about him most excellent. Yet he is intensely  
 disliked and mistrusted. He is nicknamed Malagrida,  
 after a Jesuit of sinister visage. By Burke he is com-  
 pared to a serpent with two heads. Nobody cares to act  
 with him. Pitt, though he has been his chancellor of the  
 exchequer, does not, when he becomes prime minister  
 himself, take him into the cabinet. Fox was evidently  
 resolved to break with him. This he did on a pretext  
 connected with the treaty of American independence, and  
 Shelburne's ministry fell.

Against a return of the detested Whigs to power, by  
 which the king was now confronted, he battled long and  
 hard. He even offered the prime ministership to Pitt,  
 who was then but twenty-three. At last he for the time  
 bowed his neck to the yoke.

There followed under the nominal premiership of the 1783  
 Whig Duke of Portland, a coalition of Fox and North  
 revolting to men of principle and to the nation. Fox had



not only opposed North's policy with the utmost violence, he had denounced him personally as one who in every public or official transaction had shown himself void of every principle of honour and honesty, one with whom he could never have any connection, and with whom, if he allied himself, he would be content to be called the most infamous of mankind. The memory of such language could not be buried by saying that quarrels were transient and friendship was eternal. Nor can the infamy of such a coalition cast a shade upon any union of statesmen who, though previously differing in opinion, have respected the characters of each other. The basis upon which the coalition was formed, and which was supposed to palliate its flagrancy, was cabinet government, withdrawing all real power from the king, as opposed to government by departments with the king supreme. Composed as the House of Commons then was, each of the leaders was able to bring his contingent with him, and the coalition had a large majority in the House, though from the first it was condemned by the country. The king hated all the Whigs politically; Fox he hated personally as a profligate while he was himself morally pure, and as the corrupter of his son; North he hated as a deserter. The coalition was bent on stripping him of power; he was bent on tripping up the coalition.

1783 Before long the king found his opportunity, and the coalition fell, putting an end by its fall for many a day to the dominion of the Whig houses, which beginning under William III., and interrupted only by the brief triumph of Toryism at the end of the reign of Anne, had lasted for ninety years. The occasion of the catastrophe was an India Bill. While the orb of British empire had been

contracted in the west it had been vastly enlarged in the east, and that career of conquest had begun which, destiny leading on the conquerors step by step, has terminated in the sovereignty of Hindostan. Upon the collapse of the Mogul power at the death of Aurungzeb, 1707 India had fallen into a wild and bloody anarchy, the satraps breaking loose from the central power and warring with each other, while the country was swept by the murderous and devastating raids of the Mahratta horsemen. Order had perished, nationality there had never been; in place of nationality there was only caste. Trading companies which had factories on the coast were constrained in self-defence to become military powers. But the ambition of Dupleix, who was at the head of the French, aspired to nothing less than the empire of Hindostan, towards which he was advancing with great strides, while the British power was brought by his intrigue and force to the verge of destruction. It was saved and brought out of the struggle victorious, alike over French and native enemies, by Robert Clive, who, in the hour of extreme peril, left the desk of a merchant's clerk to surpass Cortez and Pizarro in arms, while he far surpassed them both in counsel. 1748 By Clive was acquired a dominion as large as France, and really independent, though nominally subject to the phantom of Mogul empire at Delhi. Political dominion in the hands of a company of traders or their agents and clerks could hardly fail to be used for the purposes of illicit gain. It led to oppression, corruption, rapine, and the accumulation of scandalous wealth. These abuses Clive had partly repressed by the introduction of something like a regular civil service, the germ of the most marvellous civil service which the world has ever

seen. But even after Clive's reform, to leave political dominion in the hands of a company of traders was impossible. Not only was such a body unfit to rule, but there was always the danger of its involving the empire in war. A Bill was brought in by Fox severing the commerce of the company from its political dominion, and transferring the political dominion to seven parliamentary directors elected for four years, while a board subject to the directorate was to control the commerce. The framer, most likely, was Burke, who held a subordinate place in the ministry, and whose imagination had been at once fascinated by the East. The appointment of the members of the board of political control was given for the first turn to parliament, that is, to the masters of the parliamentary majority; in effect to Fox and North. At once a great storm arose. The East India Company protested against the violation of its charter, which it was true the Bill set aside, but which its own acquisition of political dominion had practically cancelled. With more reason it might have complained that the business management of a commercial company was being taken out of its hands. It appealed loudly and not in vain to the fears of other chartered corporations. The unlucky language of a law officer, who had spoken in debate of a charter as a piece of parchment with a seal dangling on it, provoked a general commotion among holders not only of charters but of title-deeds and showed how much mischief a phrase may do. The cry was raised throughout the country against the attempt of the coalition to make itself supreme alike over the crown and the nation by grasping the enormous patronage of Hindostan. Fox was depicted in caricatures as riding triumphant on his elephant into Leadenhall



Street, where the India House then stood. People were ready to believe anything of the profligate and hated coalition. Through the Commons the Bill passed by a large majority; but when it reached the upper House, Lord Temple, a true kinsman of the intriguer who was Chatham's brother-in-law and evil genius, crept to the open ear of the king and received from him a card to be handed about among the Lords, saying that whoever voted for the Bill would be regarded by the king as his enemy. The obsequious Lords threw out the Bill, and the king at once, in a most insulting manner, dismissed his ministry. It is needless to comment on this transaction. If it was constitutional and honourable, why, instead of handing about a clandestine card, did not Temple deliver the king's message openly from his place in the House of Lords? The king might feel that, as the sequel showed, public feeling was with him against the coalition; but this did not warrant perfidy towards his constitutional advisers or disloyalty to the constitution. Temple seems to have been conscious of the character of his act; when nominated for office, as the reward of his exploit, the schemer fled.

The king turned again to William Pitt, and the youth who had before shown his discretion by declining the prime ministership, now showed his courage and his aspiring genius by accepting it. He was a prodigy if ever there was one. He had spent eight years as a student at Cambridge, reading widely it is true, above all reading the newly published work of Adam Smith, but not seeing much of any other than student life; though his father, whose hope he was, carefully trained him in oratory, taught him the arts of elocution, and

fostered the hereditary aspirations which sprang up in the stripling's breast. Yet he came forth at once, not only an accomplished speaker, but a first-rate debater, a ripe politician, a skilful manager of the House of Commons. He owed the prize to an unconstitutional intrigue, of which it is vain to contend that he was guiltless, since he not only accepted its fruits, but threw his shield over it in the House of Commons, not in the most ingenuous way. Nor was this fact without influence on his subsequent career. But he was not, like Bute, the mere offspring of intrigue, and the king, who probably hoped to find in him a servant, was destined to find generally a master. His darling object, the overthrow of the Whig aristocracy, George III. had at last achieved; but in compassing it he in some degree realized the fable of the horse and the stag.

There ensued a desperate struggle in the House of Commons between an overwhelming majority at first commanded by the coalition, and the young prime minister with a minority and single-handed, for he was the only member of his own cabinet in the lower House. Pitt, by his conduct of the battle, earned the praise of precocious skill, resolution, and self-control. But his victory was assured from the beginning. What could the coalition do? It could only in the last resort appeal to the country, and the country was evidently against it. By struggling to prevent a dissolution it doubly ensured its own condemnation. At last its majority melted away.

1784 At the general election which followed, currents of opinion and sentiment usually opposed to each other set together in favour of Pitt. Reformers voted for the heir of Chatham's principles and the advocate of parliamentary

reform; Tories voted for the choice of the king and the asserter of the royal authority against oligarchical domination. The coalition was deservedly odious, while the heart of the nation turned to the son of Chatham. At the critical moment Pitt had the opportunity of displaying his disinterestedness by refusing a rich sinecure which he might have taken as a perquisite of his office. The result was the total defeat of the opposition, which lost no less than a hundred and forty seats, and the elevation of William Pitt, in his twenty-fifth year, to a supremacy which he retained, with an accidental break, to the end of his life. 1784  
Yorkshire, the greatest of the county constituencies, led the way, electing Pitt's young friend, Wilberforce, against the candidate of a great Whig House. It thus appears that in spite of all the defects of the representation, public opinion, when vehemently aroused, could find expression in a general election. Pitt had now an independent support in the nation which put him above subserviency to the court.

So immense was the victory that for a moment it turned the usually strong head of the youthful prodigy who had won it. Fox had been elected for Westminster after a desperate contest, with the usual saturnalia of beer, bribery, and riot, in which the Whig Duchess of Devonshire bought a coalheaver's vote with a kiss. But a partisan high bailiff instead of returning him kept him out of the seat, and put him to ruinous expense by a tricky scrutiny. Pitt so far forgot himself as to support the high bailiff in his iniquity and speak of Fox in language verging on insolence. This was too much for English gentlemen, and Pitt brought on himself a 1785  
damaging defeat. In that immense and mixed majority



there was, as appeared on this and on after occasions, a good deal of independence.

Of the remnant of the opposition, North being disabled by growing infirmity and blindness, which he bore as cheerfully as he had borne the storm of party denunciation, Fox henceforth was the leader. Among Fox's followers the most illustrious was Burke, of whom, nevertheless, his party never thought as a possible holder of cabinet office. Upon this alleged proof of aristocratic exclusiveness and ingratitude much rhetoric has been expended. Burke was the greatest political philosopher as well as the most magnificent writer of his time, though his philosophy could give way to the Celtic strain which, as his physiognomy showed, contended in his character with the Saxon. But his gifts were not those of a statesman; they were those of a superb pamphleteer. In the House of Commons he was apt to speak pamphlets, which wearied his hearers. Not only so, but his breaches of good taste, and even of decency, were sometimes outrageous and drew upon him contemptuous disgust. His temper was unregulated, and his practical judgment often failed him. He had shown its weakness by a bad departmental scrape into which he got when he was in office under the coalition. To entrust to him a great office of state might well be deemed unsafe. Fox and Burke by this time had with them Sheridan, who, though his name is linked with bacchanalian wit and careless improvidence, seems to have been not only a brilliant speaker but a vigorous and generous if not a high-principled politician.

Pitt set out a Liberal, like his father, in home politics; otherwise he was his father's opposite. His teacher was Adam Smith. He was a peace minister. Economy and

commerce were his field. In that field his happier years were spent and his real triumphs were won. His command of it enabled him, like Walpole, to combine the confidence and support of the commercial classes with those of the landed gentry. His great rival, Fox, was too much the gentleman, too classical, and too lazy to attend to finance. Fox used to say that he liked to see the funds fall because it vexed Pitt.

The financial situation, after Chatham's glorious prodigality, North's American war, and a long reign of jobbery, corruption, and chancellors of the exchequer such as Dashwood, afforded abundant scope for reform. There were two hundred and sixty-six millions of national debt for a total population of ten millions. Exchequer bills were at twenty discount. Consols were down to fifty-seven. There was a large deficit. Customs duties were so laid on and so collected that as much went to the smuggler as to the exchequer; the smuggling trade in tea was double the lawful trade. Pitt, with the gospel of Adam Smith in his hand, entered on a bold revision of the system. He successfully applied the principle, 1785 applied after him by Peel, but which he was the first to grasp, that reduction of duties might by increasing consumption increase the revenue; and he transferred to the exchequer the gains of the smuggler. He was enabled at the same time to do away with a number of useless places in customs and excise. He thus, in spite of some waste of money in paying the debts of the Prince of Wales, and of the civil list, turned a deficit into surplus. He reformed the system of placing loans, putting them up to public tender instead of dividing them among the friends of the government, who reaped thereby corrupt gains.

He did the same with contracts. He also reformed a vicious system of keeping public accounts.

1786 He was not so happy in his attempt to conjure away the debt by establishing a sinking fund. Only out of surplus revenue can a public debt be paid. When there ceases to be a surplus the sinking fund must be kept up by borrowing, perhaps at a higher rate of interest than that paid on the debt. Upon the first pressing emergency the savings box is broken open and hands are laid upon the sacred store. The magical operation of compound interest is an illusion into which it is strange that Pitt should have fallen. Compound interest is not a vegetable growth; it is an accumulation of interest re-invested. In the case of a sinking fund the nation which receives the interest on one hand pays it with the other, and gains nothing by the transmission from hand to hand. For an indebted nation there are only three courses: to bear the debt; to repudiate it; to remain at peace, save, and pay.

Pitt, however, saw in national debt a burden of which it is desirable to be rid. That such a nation as Great Britain has prospered in spite of a heavy debt is no proof that a debt is no evil. Is a severe taxation no evil? Is it no evil to have so much dronage quartered on national labour? If, as the optimists allege, in the case of a public debt, debtor and creditor are the same, why not apply the sponge at once? By facility of borrowing, the strongest check is taken from war, as Pitt, in the latter part of his career, was destined most unhappily to show. The day was to come when it would be said Pitt's memory needs no statues; six hundred millions of irredeemable debt are the eternal record of his fame.



Another economical achievement of Pitt, and the glory of his brighter hour, was a commercial treaty with France, carried by him against protectionism and against the national prejudice, to which faction, by the lips of Fox, appealed. His success was a triumph not only of free trade, but of good will among nations. In defending the measure, Pitt combated the doctrine that France must be the unalterable enemy of Great Britain. To say that any nation must be the unalterable enemy of any other nation would, he maintained, be a monstrous libel on human nature. The son of Chatham thus abjured the creed and the policy of his sire. 1787

With Ireland also Pitt tried to inaugurate free trade. North had given her free trade with foreign countries and the dependencies, Pitt desired to give her free trade with England. He would thereby have removed her most trying grievance, and paved the way for union. But here he had to encounter not only the malignant avarice of British protectionism, which sent up from Lancashire a petition with eighty thousand signatures, but Irish jealousy of British legislation, on which Fox and the opposition, including Burke, to their great discredit, played. In vain did Pitt conjure parliament to adopt that system of trade with Ireland which would enrich one part of the empire without impoverishing the other, while it would give strength to both. In vain did he liken free trade to mercy, that attribute of heaven which was twice blessed, blessing him that gave and him that took alike. In vain did he implore his hearers to save from further dismemberment the remains of the shattered empire. In vain did he declare with impassioned vehemence that of all the objects of his political life, this was the most important, 1785

and that he never expected to meet with another which would so strongly rouse every emotion of his heart. His scheme, accepted at first by the Irish parliament, was mangled by the parliament of Great Britain, and rejected on account of the alterations by the parliament of Ireland, which was led to look upon them as derogatory to its independence. Dearly both parliaments paid for its rejection.

The son of Chatham, on his entrance into public life, had declared, as Chatham did, for parliamentary reform. As an independent member he had brought in a Bill, and, though defeated, had a good division. The case was strong. Paley said that half, reformers said that more than half, the members of the House of Commons held their seats by nomination or purchase. He and other optimists might contend that this, in spite of the anomaly, was the best of all possible parliaments, all the leading men of the nation being there and all great interests being represented. They might argue, that if the machine worked satisfactorily, want of symmetry mattered little. But anomaly or want of symmetry so great as to repel respect from institutions is an evil. Burke, however, opposed all change, contending that the British constitution was perfect, or that, if anything, there was already too much of the democratic element; and he might at all events plead for cautious dealing with a constitution which was the only one of importance in Europe. Pitt redeemed his pledges, bringing in a Bill which, frankly treating the nomination boroughs as property, provided for their extinction by purchase. The seats were to be transferred to counties or large cities. The sale was not to be compulsory, but voluntary on the

part of the owners of boroughs. This was mild. But to a borough-mongering parliament, parliamentary reform, even the mildest, was too nauseous to be swallowed, however sugared might be the rim of the cup. Pitt's Bill was thrown out, and here he dropped the question. He might feel that a system which had made him prime minister with an overwhelming majority practically worked pretty well. Besides, management rather than coercion was his line, and he never set himself, perhaps never had the force of will to set himself, against the House of Commons. It is to be noted that defeat of the government, even on so radical a question as parliamentary reform, did not then entail resignation.

If an attempt to reform the parliament of Great Britain was hopeless, still more hopeless was it to attempt to reform the parliament of Ireland. That assembly was at once the political citadel and the political treasury of the dominant race and church. The Roman Catholics, five-sixths of the population, were excluded from seats in parliament and from the franchise. But even as a representation of the protestants the parliament was a mockery. The system of nomination boroughs prevailed even more than in England. In an assembly of three hundred, twenty-five great land-owners returned one hundred and sixteen members. One peer had sixteen members, another nine, another seven. The great jobbing family of Ponsonby had fourteen. A combination of these potentates could dictate to the government. Two-thirds of the House of Commons, however, were attached to government by offices, pensions, or promises. A parliament which the government had bought could be kept in existence as long as the government pleased,



there being no limit to its life but the demise of the crown. In the House of Lords, with borough-mongers craving for Castle patronage, was a phalanx of bishops of the established church who were tools of the crown. The system was one of undisguised and almost avowed corruption. Pitt had before him a chart of the Irish parliament confidentially drawn up for his guidance. H. H., son-in-law of a peer, who brings him into parliament, wishes to be a commissioner of barracks, but would go into orders and take a crown living. H. D., brother of another peer, described as a silent, gloomy man, easy to be led if thought expedient, having failed to obtain a specific promise, has lately voted in opposition. L. M., for his skill in House of Commons management, expects one thousand pounds a year. Pitt is warned to be careful of him. J. N., a military man on half pay, wants a troop of dragoons on full pay. His pretensions are fifteen years' service in parliament. He would prefer office to military promotion, but already has a pension. His character, especially on the side of truth, is described as not favourable. F. P. is independent, but well disposed to government. His four sisters have pensions, and his object is a living for his brother. T. P. is brother to a peer, who brings him into parliament. He is a captain in the navy and wishes for some sinecure employment.

The members of the Irish parliament, it is said, were gentlemen; gentlemen they might be, though the social medium in which they lived was one of reckless expenditure, hard drinking, and duelling, challenges being sent upon every affront, not only by members of parliament but by a lord chancellor, by a chief justice, by judges, by the provost of a university. Eloquent speakers they

had among them, such as Flood and Grattan, albeit the rhetoric was of a highly full-bodied type and the invective was vehement, as when Grattan compared Flood to "an ill-omened bird of night with sepulchral notes, cadaverous aspect, and broken beak," the broken beak being an allusion to a broken nose. Good things they might do in the way of legislation on subjects outside party or patronage. But a representative assembly they were not. The rejection of parliamentary reform, however, was certain. Corruption, religious exclusion, and the fears of a privileged minority formed a rampart against all measures tending in that direction, which nothing but a political earthquake could overthrow.

Of corruption in England Pitt had cut off some sources by abolition of useless offices and by purifying the mode of contracting loans. But the main evil ceased of itself, at least in its coarser form, on Pitt's elevation to power. A minister with so immense and so sure a majority had no need to bribe. It must be remembered, however, that government still had an enormous mass of patronage, civil, military, naval, colonial, and also ecclesiastical; for bishoprics, canonries, and crown livings were used as rewards for political support. It had also the bestowal of peerages, baronetcies, and orders of knighthood, the most powerful of bribes to men whose wealth placed them above the temptation of money. Of these Pitt made a lavish, not to say an unscrupulous, use. Before he died, one hundred and forty peers, half the House of Lords, owed their creations or their promotions in the peerage to him. Baronetcies and knighthood, the minor bribes of vanity, were scattered with equal profusion.

That Pitt's own hands were clean need not be said.

Far from increasing his fortune, he, through neglect of his private affairs and the dishonesty of his servants, ran deeply into debt. Nor did he stoop to the acceptance of baubles. He refused the Garter, thinking, perhaps, as did a prime minister of a later day, that it would be folly to buy himself with that by which he could buy a grandee.

1792 Pitt was still liberal enough cordially to concur with Fox in a reform of the law of libel, a deferred outcome of the Wilkes affair, establishing the right of the jury to pronounce upon the character as well as upon the fact of the publication. His character would have led him to support measures for emancipation of conscience. Left to himself, he would have voted for the repeal of the Test and Corporation Acts; but he consulted the bishops, who deemed the profanation of the sacrament for political purposes still vital to the maintenance of religion. Under the same influence he refused to grant freedom of conscience to Unitarians, or to release from subscription to the Thirty-nine Articles Latitudinarian clergymen of the church of England. Burke also opposed the concessions to Unitarians and Latitudinarians. He was more willing to grant concessions to catholics, regarding theirs as an ancient and conservative religion. By this time, however, revolution was casting its shadow on the scene, and Burke deemed protestant dissenters revolutionary. It did not occur to the great philosopher that the cause of their revolutionary tendencies was injustice. In legislating for Canada, Pitt recognized Roman Catholicism, which was thus legally tolerated for the first time.

Again Pitt showed his liberal tendencies on the subject of the slave-trade. It seems incredible that men should have gone on talking in high strains of public rights and



liberties while they were consenting to the continuance of that trade and to the hideous cruelties of the Middle Passage. The scene of those horrors was distant, but they were clearly presented to the minds of Englishmen by the proceedings in their own courts of law. An action relating to a policy of insurance on the value of certain slaves had been tried in the King's Bench. The question was whether the loss of the slaves had been caused by perils of the sea. A slave-ship with four hundred and forty-two slaves was bound from the coast of Guinea to Jamaica. Sixty of the slaves died on the passage from overcrowding, but in respect of these it was not contended that the underwriter was liable. The captain, having missed Jamaica, found himself short of water, and under the apprehension of scarcity, but before his crew and passengers had been put on short allowance, he threw ninety-six of the sickliest slaves overboard. A fall of rain gave him water for eleven days, notwithstanding which he drowned twenty-six more of the slaves. Ten in despair threw themselves overboard. The ship arrived in port before the water was exhausted. Ill were the wickedness and cruelty of such a system compensated to the nation by the inflow of plantation wealth, the lords of which were often little better than its source, and by their corruption of English society and politics partly avenged the slave.

Wilberforce, who came forward to deliver his country and humanity from the slave-trade, was a representative 1788 of that party of evangelicals which, remaining inside the Anglican church, sympathized and co-operated with the Methodists outside, having, indeed, its origin in the same reaction against the vice and impiety of the eighteenth century. His appearance in the House of Commons and

his influence there were among the signs of an improvement in public character traceable to the religious revival as well as to the change in the political position. Pitt supported Wilberforce's movement, and one of the best of his speeches was made in that cause. But, shackled either by political or commercial influences, he failed to put forth the full power of his government, and afterwards, by annexing Sugar Islands which were cultivated by slave labour, he became involuntarily responsible for an extension of the trade.

1784 Fox's India Bill had been thrown out, but the Indian problem still called for solution. To leave an annexed empire, with the power of peace and war, uncontrolled in the hands of a trading company was impossible. Pitt brought in a Bill which, avoiding the rock upon which Fox's measure had split, effected the same object in another way. The patronage which Fox had proposed to transfer to the masters of parliament Pitt left ostensibly in the hands of the company, only giving the crown a veto on the appointment of the governor-general and of some other officers of importance. Nor did he abrogate the company's charter; but he made over the supreme power in reality to a board of control consisting of six privy councillors, including the secretary of state and the chancellor of the exchequer. The company of British traders remained in form and name a great eastern power, and the rulers of the Indian empire were still called directors and writers; but the policy of the company was thenceforth under imperial direction and control. Legally the Indian patronage was left in the hands of the company. Practically it fell to a great extent into those of Henry Dundas, the president of the board of control. Dundas, a very able,

shrewd, and unsentimental Scotchman, skilled in party management, was Pitt's second in command and the adviser on whom he most leaned. Indian patronage in Dundas's gift filled Hindostan with Scotchmen and kept Scotland true to Pitt.

Conquest began to react, as all conquest must, on the conquering nation. To India the coalition government owed its overthrow. Englishmen who had returned with fortunes from Hindostan, Nabobs, as they were nicknamed, were eclipsing ancient houses, buying seats in parliament, giving general umbrage by the display of a wealth which was believed, often rightly, to have been amassed in evil ways. India, in the days of a six months' voyage, was far away, and public indignation was blind in the selection of its objects. It fixed on Clive, the founder of the empire, 1767 and on Hastings, the organizer and preserver. Clive had 1786 not been scrupulous; once, at least, he had stooped to that which in the east was policy, in the west would have been dishonour; but he had been a reformer as well as a conqueror; he had put a stop to rapine by his establishment of a regular civil service, and though he had taken a good deal for himself, he could with justice say that he stood astonished at his own moderation in not having taken more. Unlike the rapacious Greek of old when introduced into the treasure-house, he had filled only his hands, not his boots and clothes, with gold. He escaped 1773 impeachment, but he did not escape hatred and obloquy, which combined with disease to overpower him. In the palace at Claremont which he had built, and the stately rooms of which he paced in his last dark hours, one of the mightiest of Englishmen died by his own hand. The 1774 statesmanship of Warren Hastings and his courage, serene



in extremity, had saved, ordered, and extended the empire founded by Clive. His rule, though arbitrary, had been, in comparison at least with native anarchy or tyranny, beneficent, and he was regarded with gratitude by the Hindoo. Of most of the charges against him, notably of the charge of judicially murdering Nuncomar by the hand of Impey, he now stands acquitted before the tribunal of history. In hiring out British troops to a native prince for the Rohilla war, the worst of all his acts, he was yielding to the financial cravings of the company. But he had a deadly enemy in Francis, the venomous writer of the "Junius" letters, who had not only opposed him in council but fought a duel with him at Calcutta. Francis gained the ear of Burke, whose soul was fired by a tale of wrongs done to ancient dynasties and priesthoods, while his warm fancy was always set at work by the imagery of the romantic and gorgeous east.

1786 Burke moved for the impeachment of Hastings. How Pitt, after voting against impeachment on the Rohilla charge, was induced to turn round and vote for it on the charge of extorting an excessive subsidy from Cheet Sing, which now appears less serious, is a mystery; it is probable that he was persuaded by Dundas, who had India in his hands and had before attacked the government of Hastings. His fiat was decisive. There followed the most important state trial and the grandest judicial pageant seen in Westminster Hall since the impeachment of Strafford. It ended, after seven years, in an acquittal. But Hastings could truly say that he had given his country an empire, and she had rewarded him with a life of impeachment.

Burke, in the attack on Warren Hastings, behaved

almost like a maniac. He wanted to make Francis, who had fought a duel with the accused, one of the managers of the impeachment. He incurred the formal censure of the House by recklessly charging Hastings with having suborned Impey to murder Nuncomar. His language in Westminster Hall was outrageous. Once at least he was called to order by the lords. He spoke of the illustrious accused as "lying down upon a sty of disgrace, and feeding on its offal," as a captain-general of a robber gang, as a thief, a cheat, a forger, a swindler; as one to be compared, not with Tamerlane, but with the lice which laid waste Egypt. He called him a fraudulent bullock-driver, Hastings having been once concerned in a contract for bullocks. Lord Coke, he said, had done wrong in calling Sir Walter Raleigh "a spider of hell," but he would have been guilty merely of indecorum if he had applied the term to Hastings. Language not less excited he could use in the House of Commons. He had taunted North on personal defects. He compared a minister to an indecent heathen deity. He compared the House when they would not listen to him to a pack of hounds. He spoke of the king, then afflicted with mental disease, in words which shocked his hearers. "Burke concluded his wild speech," said one of his audience, "in a manner next to madness." Magnificent though Burke's gifts were as an orator and a philosopher, it is surely no great scandal that his friends should have feared to trust his practical wisdom. The loftiness and purity of his motives cannot be questioned. Nor can it be questioned that the attention of the nation was called to India and its conscience awakened by the impeachment of Hastings. But violence defeated itself, and

injustice to a great public servant was not the best way of reforming the public service.

For a moment Pitt seemed in danger of losing power. The flickering light of the king's intellect was for the  
1788 second time eclipsed by lunacy. This time the eclipse  
1788 appeared to be total. Then arose a constitutional ques-  
1789 tion about the appointment of a regency, absorbing in those days, though of little interest in ours, except as the appeal to medieval precedents for its decision marks the unbroken course of the constitution.

It was assumed that the Prince, on becoming Regent, would dismiss Pitt and call in Fox. So much power the crown still retained. Thus on the regency question the two rivals were led to take different lines and lines at variance with the general politics of each. Fox, the Whig, took the legitimist line, contending that the Prince would be Regent of his own right and with the full powers of the monarchy; while Pitt, the Tory, took the constitutional line, contending that it was for the parliament to settle the government during the incapacity of the sovereign, and bringing in a Bill to curtail the powers of the Regent and take from him, among other prerogatives, that of creating peers. Fox and Sheridan, in asserting the Prince's claim, used language so highly legitimist that Pitt could say of one of them that he would un-Whig the gentleman for the rest of his life. They did themselves no small harm, while the Prince, their client, and his brother the Duke of York by unfilial and indecent behaviour provoked general disgust. The king, however,  
1789 recovered, and a long course of mischief still lay before him. Throughout the kingdom there were rejoicings. Pitt was more firmly than ever seated in power.



Not even yet was it perfectly understood that a ministry was a unit, and that its members must stand or fall together. Chancellors, especially, were still apt to think their tenure permanent. The lord chancellor, Thurlow, a most imposing but rather hollow personage, of whom it was said that nobody could be so wise as Thurlow looked, had made up his mind that though the Pitt ministry might go out the chancellor would stay in. Having beneath an outside of surly honesty no small aptitude for intrigue, when the king's case was supposed to be hopeless he opened an underground communication with the Prince. The ministers, Thurlow among them, went down to hold a council at Windsor. When they were coming away the chancellor's hat was missing, but was presently brought by a page, who told them that he had found it in the Prince's room. Upon the king's recovery Thurlow poured forth his fervent loyalty in the House of Lords. "When I forget my king," he exclaimed, "may my God forget me!" "The best thing that can happen to you," said Burke. "Oh, what a rascal!" said Pitt. "Forget you; he'll see you damned first," said Wilkes. Thurlow, being generally contumacious in cabinet, was presently dismissed. His blatant professions of loyalty had endeared him to the king; but Pitt's will prevailed.

By this complication the character and doings of the Prince of Wales, afterwards George IV., were brought fully into view. It was seen what hereditary monarchy was likely to be when it was relieved of the duties and perils which had been its salt in the middle ages and exposed in irresponsible security to the influences of a royal education, royal luxury, and the flattery of a court. His Royal Highness was wallowing in debauchery and

sunk in debt. After the custom of his house, he was at enmity with his father. Affecting Liberalism because the court was Tory, he had thrown himself into the arms of the opposition and made Carlton House its headquarters. Fox and Sheridan were too well qualified to be his boon companions as well as his privy councillors, and by their share in his moral ruin drew on them the  
1787 deserved hatred of the king. The Prince had fallen in love with Mrs. Fitzherbert, who, to do him justice, was in every way worthy of his love and might have redeemed him if he could have lawfully made her his wife. But she was a Roman Catholic, and by the Act of Settlement marriage with a Roman Catholic was forfeiture of the crown. That forfeiture the Prince would have incurred had his marriage with Mrs. Fitzherbert been valid. But the Royal Marriage Act, passed in the early part of the reign, upon the discovery of two marriages of disparagement secretly contracted by royal dukes, forbade the marriage of any member of the royal family under the age of twenty-five, which the Prince had not reached, without the consent of the crown. The marriage with Mrs. Fitzherbert was therefore invalid, and the Prince by his breach of the second law was saved from the penalty of the first. To say that he counted on the invalidity might be harsh. Coming to parliament for payment of his debts, he was met by an interrogation about his marriage, and the first gentleman in Europe, as he deemed himself, and as in mere manner he might have pretended to be, put up  
1787 his bosom friend Fox to meet the interrogation with a lie.

So far all had gone well, and more than well, with Pitt. It was still morning with the young statesman, and the

morning was almost cloudless. Everything promised him the continuance of a brilliant and beneficent career. He had restored the finances and reformed the financial system. He had converted deficit into surplus. By his commercial treaty with France he had made a great advance towards the realization of Adam Smith's policy of free trade. The total abolition of customs duties even was coming into view. The country was prospering and growing rapidly in wealth. The inventions of Arkwright, Hargreaves, Crompton, Watt, and Wedgwood, together with the invention of smelting iron with coal, had given an immense impetus to manufactures of all kinds, to metallurgy and to mining. Trade, especially with America, had greatly increased. Pitt's hold on the confidence of parliament and of the country had been strengthened. When he rose in the House of Commons with his lean but majestic form, his lofty bearing, and his sonorous elocution, he rose a king.

Pitt's government was one of personal ascendancy supported by the favour of the crown, not of party leadership. His following was made up of different elements brought together by their confidence in the man, hatred of the Whig oligarchy, or attachment to the throne. It followed him but loosely till it was welded by antagonism to revolution. He never appealed to party sentiment, never held counsel with a party. At a crisis of peril he was willing to take his rival Fox into his government and was prevented only by the personal prejudice of the king. It may safely be said that the theory of government by two parties representing opposite sets of principles and alternately rising to power did not present itself to his mind.



Peace was Pitt's element, and the world was and seemed likely to remain at peace. For some years there had been no great war, except that of Russia with the Turks. In Holland Pitt had taken part with Prussia in a successful intervention for the restoration of the House of Orange to power, and the rescue of the country from the grasp of French ambition, which was intriguing with the republican party. He had been on the brink of a war with Russia, whose growing power began to excite alarm, but parliament, deeming the danger too remote, had manifested its independence by drawing him back. In 1792, bringing in his budget, he held out a prospect of relief from taxes within fifteen years; "for although," said he, "we must not count with certainty on the continuance of our present prosperity during such an interval, yet unquestionably there never was a time in the history of this country when, from the situation of Europe, we might more reasonably expect fifteen years of peace than we may at the present moment." He reduced the navy and looked forward to general reduction of armaments, abolition of customs duties, and emancipation of trade. Never was man more bantered, to use Bolingbroke's expression, by fortune. Instead of being on the eve of a fifteen years' peace, Pitt was on the eve of a twenty years' war.

1791 In the discussion of a Bill giving Canada a constitution, which was about the last measure of the Liberal Pitt, the debate had been interrupted by an angry altercation, ending in a rupture of friendship between Fox and Burke on a subject which at this time filled all minds. That subject was the French Revolution.

Pitt, as he scanned the political and social horizon, though he saw no signs of war, could not fail to see signs

of change. Everywhere he must have noted that it was coming, in France that it was come. He must have marked that among the educated class scepticism had undermined the established religion. By this perhaps he would not be much disturbed, since, however orthodox in principle, he was not devout, and had let fall his opinion that Bishop Butler raised more questions than he solved. He must have observed the progress made in the conquest of European opinion by the biting wit of Voltaire and the seductive sentimentality of Rousseau; though on this again he might look, if not with complacency, without fear, since Voltaire, though a universal questioner and reformer, was no political revolutionist, while Rousseau's vision of a return to nature might seem a vision and nothing more. American revolution was far away and not propagandist. As a son of light and a friend of humanity, Pitt would view with pleasure the European movement. He would rejoice over the progress of philanthropy, the improvement in jurisprudence and administration, the incipient emancipation of serfs, the mitigation of the criminal law, the tendency to encourage education, the growing tolerance, the suppression of the Jesuits, the reduced power of the Inquisition. Though a thoroughly practical statesman, he would regard with interest and favour the advance of political philosophy, while he could hardly suspect the dire explosiveness of political and social ideals. He would recognize the good done, in spite of standing armies and territorial wars, by Turgot in France, by Aranda in Spain, by Pombal in Portugal, by Leopold in Tuscany, by Tanucci in Naples, by Frederick and Maria Theresa as civil rulers in Prussia and Austria, by Gustavus III. in Sweden, even by Cath-

erine in Russia. He would observe that if Europe was still heavily encumbered by the incubus of a feudal aristocracy, which, all its work for civilization having long ago been done, had sunk into an idle, arrogant, reactionary, and grossly oppressive caste, among the kings enlightenment, progress, and beneficence were becoming the fashion, and, as was said at the time, a new political constitution had been born, that of monarchy tempered, not by parliaments, but by opinion. Everything in short might seem to him to promise a peaceful transition from the feudal or absolutist past to a more liberal and happier future.

1643-  
1715 This is not the place for telling the terrible story of the French Revolution. Louis XIV., taking up again the work of Richelieu, while he was impelled by his own pride and lust of power, had made himself the state and Versailles the country; he had laid low every institution, national or local, which was not a mere instrument of the royal will; he had created an enormous standing army, stamped upon the monarchy an intensely military character, and identified it with the policy of conquest; he had set the example of court expenditure on the most prodigal scale, and of the accumulation of public debt; he had turned the land-owning aristocracy into courtiers, place-hunters, and men of pleasure, domiciled them in his palace, severed them from their tenantry, and divorced them from their rural duties. In the gloomy end of his life, falling under the sway of superstition and of its organs, an intolerant priesthood and a priest-ridden woman, he had sought the favour of his deity by persecution and driven free conscience into exile or sent it to the galleys.

1715-  
1774 The glitter of his system while he lived concealed its rottenness, which in the next reign, that of a voluptuary



ruled by a series of harlots, became apparent as well as complete. The advent of a young king, well-meaning, though with little intelligence and no force, seemed to be a renewal of hope. With it came a roseate dawn of promise, social, intellectual, and scientific. Abuses still called for reform; aristocratic privilege and insolence were most galling; the corruption of the church, especially of the hierarchy, was extreme; the public debt was heavy, the deficit was large, the financial system was wretched. Yet the evil was not past cure. Turgot was in a fair way to cure it when he was turned out of office, and his measures of reform and economy were quashed by a court coterie and a pleasure-loving queen. Then came intervention in America and war with England, which completed the ruin of the finances, gave a stimulus to revolutionary sentiment, and infected with it the French troops which had served beside American rebels. Still, a deficit, however large, ought not to have laid a mighty monarchy in the dust. In the cities, at all events, there were prosperity and wealth. It is difficult, even now, to account for the sudden rising of the storm cloud which overspread the sky, and the simultaneous boiling up of all the elements of disaffection and revolution, political, social, economical, and religious. Visionary speculation and practical suffering brought into contact with each other on the largest scale, it is truly said, could not fail to be explosive. At a crisis produced by the financial distress and the administrative rottenness of the government, the torch of a revolutionary and utopian philosophy fired the vast mine of material discontent which ages of wrong and misery had charged. For something, perhaps for much, bad seasons and scarcity

1774

1776

1778

1793

of bread might account. Hunger, driving men from the country to the city, would increase the terrible mob of the Faubourg St. Antoine. In the general spread of scepticism the government, the ruling class, the priesthood, had lost faith in themselves and were prepared to fall. Had the king been strong, the army being at his command, he would have grasped the reins firmly, have himself proclaimed reform, put a stop to waste, beginning with the waste of his court, lowered the barriers of privilege, abolished oppressive feudal rights by his own legislative power, gone over the country in person looking into the grievances of the peasants, and if the public creditor could not be paid in full, have made the best arrangement possible with him, selling if necessary for the purpose monastery lands. This he might have done without the violence displayed in quelling an aristocracy by Gustavus III. of Sweden. To such a policy, welcomed as it would have been by the masses of the people, the obstructiveness of the parliament of Paris, with its spurious popularity, could have offered no resistance. Monarchy itself the French people loved; what they hated and burned to overthrow was monarchy with a privileged class, and a state church intolerant and corrupt. Being not strong, but as weak as he was well-intentioned, Louis XVI., after trying a financial conjurer in the person of 1784- Calonne, and vainly asking counsel of a narrow Assem- 1787 bly of Notables, called out of the depth of the French 1787- past the States General, and unwisely fixed the place for 1788 their meeting at Versailles, in the contagious neighbour- 1789 hood of the centre of fermentation. Still, by a frank policy of concession he might have got on amicably with an Assembly which, at the outset, was far from hostile to

the crown, and in the end, the country being radically monarchical, he might insensibly have recovered a good deal of his power. That hope was blasted by want of tact on the part of the court and the stupid formalism of court officials, by the fatal demagogism of Mirabeau, and afterwards by the meddling of the queen and her coterie, who, like Henrietta and her circle in the English Revolution, tried to bring up the army for the coercion of the Assembly. All know the sequel; the legislative babel which ensued in an Assembly too unwieldy for deliberation, split into a score of factions, without parliamentary experience; the construction of an ideal constitution; the flight of the aristocracy from the post of peril; the death of Mirabeau, 1791 who, with all his profligacy and corruption, was the only man capable of controlling the Revolution, and whose departure left the wild steed masterless; while that climax of enthusiastic folly, the self-denying resolution, put the operation of the new political machine into utterly untried hands. Nor is it needful to recount the uprising of a famished and brutalized people, the burning of chateaux, the massacres, the defection of the army, the destruction 1789 of the Bastille, emblematic of the downfall of the monarchical and feudal system, the mob invasion of Ver- 1789 sailles, the captivity of the king and queen, their escape, 1791 their recapture, the September massacres, the storming of 1792 the Tuileries, the execution of the king, the domination 1793 of the Faubourg St. Antoine, and the Reign of Terror. 1794

Pitt had viewed with liberal sympathy the first stages of the Revolution. As it advanced he and Dundas showed themselves resolved to remain strictly neutral and abstain from meddling in any way with the domestic distractions of France, as France had abstained from meddling with



the domestic distractions of England at the time of the great rebellion and the execution of Charles I. The difficulty of holding this course in face of the increasing crime and madness of the Revolution, which filled the most liberal with horror, and the rising tide of anti-revolutionary feeling in the court, the upper classes, and the church of England, was enhanced by the follies of English partisans of the French Revolution who held incendiary language, dallied with revolutionary conspiracy, and exchanged the hug of fraternity with the lunatics of France. It was enhanced by the indiscretion of the leaders of the opposition, especially of Fox, who, when he ought to have held reassuring language and dwelt on the distinction between the case of France and that of England, proclaimed his unbounded sympathy with the Revolution, even when it had begun to carry heads on pikes, and in a debate on the army estimates commended the French Guards for having deserted their duty as soldiers and taken part in the political insurrection. The soldier is still a citizen, and the nation had applauded when the army of James II., at Hounslow, cheered the acquittal of the Seven Bishops. But the conduct of the French Guards had been disgraceful, and Fox's praise of them was most unwise.

Above all, Pitt, in struggling to avert a war of opinion, had to contend against the tremendous impulse given to the reactionary and war spirit by the fiery eloquence of 1790 Burke. The writer of the "Reflections on the French Revolution" may be at once acquitted of apostasy; though an enemy of corruption and court influence, he had always been a friend to monarchy, always an admirer, almost a worshipper, of aristocracy; he had always opposed parliamen-

tary reform. The magnificence of his writings nobody questions, marred though it is by extravagant metaphor and other errors of taste. Nor does anyone question his importance as a political philosopher. Evolutionists of the present day see in him a forerunner of their science of history. Of evolution as a theory he knows nothing. But he carries his hatred of arbitrary innovation and his love of precedent to the length of a worship, not of tradition only, but of prejudice, scarcely leaving reason a place in the formation of institutions. In the "Reflections" he divests himself of the semblance of judicial calmness. Nothing can be more palpable than the partiality with which he glazes over the abuses of the French monarchy, the monstrous privileges and social vices of the aristocracy, the corruption of the French church. Over the condition of the French peasantry, famished, degraded, and brutalized, he passes in silence. He makes no attempt fairly to probe and estimate the situation. No reader would gather from his pages that the French people had grievous cause for discontent. Who can read without derision the lines in which he suggests that a bloated church establishment, with courtier bishops living in luxury while curates starved, was a provision spontaneously made by the charity of peasants who were eating nettles for the spiritual necessities of sorely tempted wealth? How could Burke upbraid French reformers with their temerity in breaking away from the past? What past had they after Louis XIV. wherefrom to break away? How could he charge them with wantonly severing the golden chain of political continuity when there was nothing for them to continue? Had not the French monarchy absorbed all other institutions, then fallen by its own vices? Nothing of the old edifice being

left, what could the reformers do but build anew? Did they not, in reviving the States General, reproduce the past, or so much of it as was capable of reproduction, and that with antiquarian fidelity? Particular facts as well as the general picture are distorted by Burke, who sees them all through the mist of his reactionary passion. Had Marie Antoinette only shone with the pure radiance of a morning star? Had she not laid herself open to reproach by gambling in public and by nocturnal frolics in the garden of Versailles? By whom was it that she was first threatened with insult? By the people and the revolutionists, or by the tattlers of the court? The "Reflections," it should be borne in mind, were published in November, 1790, before the Revolution had entered upon its most violent and sanguinary phase.

The most serious charge, however, which we have to bring against the author of this too famous work is one that touched him not as a pamphleteer, but as a statesman. By his own account the revolutionary party in England was not dangerous. He speaks of it with contempt, comparing it to half a dozen grasshoppers chirping noisily under a fern, while thousands of great cattle chew the cud silently beneath the oak; and his description was borne out by the facts. Such revolutionary feeling as there was might have been allayed by a moderate measure of parliamentary reform combined with the repeal of the Test and Corporation Acts and the emancipation of the Unitarians, all of which Burke opposed. The danger which the government was struggling to avert lay in the opposite quarter; it lay in the awakened fears and kindling passions of the king and the governing class; and Burke did all to increase it that his mighty pen could do.



The effect of his pamphlet, especially on the mind of the king, was instantaneous and fatal. Its sale was enormous. The author became almost a European power in himself, inspiring, apart from the government, and in opposition to its policy, the counsels of the exiled French court and the refugees, whose vengeance, when, in accordance with his desire, they should have been restored to power by foreign arms, he was sanguine enough to think that he could keep under his philosophic control. By the effect which his burning eloquence produced on European rulers, Burke may be deemed to have stimulated them to invade France and thus to have been partly responsible for the frenzy which invasion produced, for the September massacres, and for the Reign of Terror.

The Terror is hardly to be laid to the account of the Revolution. It was not political, but cannibal, though the leaders canted in the language of Rousseau. The mob of Paris, unspeakably brutal and savage, had got possession of the government of a highly centralized monarchy, and slaked its lust of riot and blood. Nothing of the kind could have happened in England, nor were English statesmen bound to treat such a catastrophe on the principles of international law or otherwise than they would have treated a hurricane or an earthquake.

Pitt long persevered in his policy of non-intervention. He had nothing to do with the coalition, with the plots of the emigrants, with the conference at Pilnitz, with the expedition or the manifesto of the Duke of Brunswick. By the territorial rapine to which French fraternity at once turned, and the door to which was unhappily opened by the weakness of the surrounding states or provinces; by insolently trampling on treaty rights in the case of the

Scheldt; by aggression upon Holland, the settlement of which England guaranteed; above all by a propagandist manifesto threatening all established governments with subversion, the Jacobins furnished ample grounds for war. But that which is justifiable may not be wise; France was a lunatic whose ravings might be disregarded, whose frenzy would end in collapse. Pitt clung to peace.

1793 He was swept from his moorings at last by the storm of pity and rage which followed the execution of the king. After all it was not he, it was France that declared war. But war rather came than was declared. Fired by mutual hatred, revolution and monarchy, religion and atheism, rushed upon each other. The British declaration of war, while it speaks of unprovoked aggressions, referring to Holland and the Scheldt, plainly sets forth as grounds for drawing the sword the internal disorders of France, the anarchy and crimes of the Revolution, the murder of the king, the danger with which all governments were threatened by French example and contagion. It, in fact, proclaims a crusade against the Revolution. It holds out the aid of Great Britain to restorers of monarchy in France. Thus Pitt, in his own despite, was forced into a crusade.

Had he foreseen the twenty years' war, he might still have held back, though it does not seem that with all his loftiness of character and purpose, with all his dignity of bearing, he was the man to hold his own against a heady current of opinion. But he believed that the war would be short; nor without reason. His reliance on the collapse of French finance was ill-founded; bankruptcy cleared France of her debt; rapine supplied her military chest; the transfer of her land from nobles and monks

to industrious peasants soon increased her wealth; enthusiasm and conscription filled her armies; all her resources were entirely at the command of a revolutionary government more despotic than that of any king. Yet Pitt would have been well justified in thinking that if the coalition was united and resolute, its armies might at once march to Paris. The coalition was neither united nor resolute. Instead of thinking of the common cause, its members were thinking of their separate interests and their felonious partition of Poland. They behaved, not like crusaders, but like wreckers, fancying that France was going to pieces, and scrambling for their shares of the wreck. Austria took possession of French cities, not in the name of the Bourbons, but in her own. Pitt himself pottered with Dunkirk instead of insisting on a march to Paris. The Revolution in the meantime had put into the field immense armies which, commanded by valour and military genius self-raised from the ranks, and directed by the organizing skill of Carnot, overwhelmed the inferior numbers, mechanical soldiership, and antiquated tactics of the old powers. France conquered the Austrian Netherlands; turned Holland, in which from the first she had a large party, into a vassal state; annexed Savoy; overran the feeble and denationalized principalities of the Rhine; compelled decrepit Spain under the worthless Godoy, not only to cease fighting against her, but to pass over to her side. By the death of Catherine of Russia, whose trade, whatever her philosophy, was to be Czarina, the coalition lost a powerful friend. Prussia, whose councils were in the last degree weak, selfish, and base, at last went over to the enemy. Stolid Austria could be kept in the field only by subsidies. England was left fighting alone. 1796



Why did Pitt continue the war? At bottom, perhaps, because peace was impossible between revolutionary France and constitutional Britain. Royalty, aristocracy, property, the church, were all for war: royalty, aristocracy, and property against democratic levelling; the church against atheism. Pitt has been arraigned for not having boldly invoked the crusading spirit on his side to meet the crusading spirit on the side of the Jacobins. It needed no invocation; it was with him in full force; it was bearing him on more vehemently than he desired. When the pious and gentle Wilberforce raised his voice for peace, the king cut him at the levée. Pitt's formulary at last became "indemnity for the past and security for the future." Indemnity for the past meant the abandonment by France of her conquests, which was hopeless. Security for the future meant restoration of the Bourbons, which then was hopeless also. Pitt held that there was no government in France with which he could treat. From treating with the Jacobin bedlam turned into a slaughterhouse he might well be excused. But the Directory was a government, though it was a strange outcome of a grand effort to regenerate the world. Under it, France was sitting clothed, though not with samite, and in her right, though by no means in a moral, mind. Pitt did then treat for peace, and it was not through his fault, but through the insolent violence of the scoundrels who by military force had got the upper hand in the French government, that the treaty failed. Pitt was even willing to bribe the Directory. Yet when Bonaparte, having afterwards risen to power, made an overture for peace, Lord Grenville was allowed to say in reply, Restore the Bourbons. The retort was ready, Restore the Stuarts. Even George III.

noted the mistake which Bonaparte marked with joy. It is strange that Pitt should have let the despatch go. Lord Grenville, besides being a fanatical enemy of the Revolution, was insular, haughty, wanting in tact, and ill-fitted to cope with Talleyrand. In selecting him as Foreign Minister Pitt showed not much discernment.

Pitt has been damned as a war minister. Assuredly he was no Chatham. Peace, finance, economy, not war, were his field. He had no eye for military or naval merit, no promptness in calling it to the front; he could inspire nobody, nobody could leave his presence a braver man. He twice allowed the fatuous king to entrust the fortunes and honour of the British army to the young and incompetent Duke of York. His continental enterprises failed. His forces were never found on a decisive field. But he might plead that he had no trained commanders, that he had no conscription to furnish him with great armies; that on the sea he had not only been victorious but had annihilated the hostile fleets; that he had taken the French and Dutch colonies and had them to barter for retrocessions on the part of France.

The prime minister, however, must to some extent share with the admiralty the blame of having allowed the condition of the British sailor to be such that he, the most loyal and patriotic of men, the most true to duty, could at last endure his wrongs no more, and rising in a terrible mutiny brought the country to the verge of ruin. The sailor's pay and pensions had not been raised since the time of Charles II., though prices had doubled. He had to complain also of bad rations and short measures, of stoppage of his pay when he was wounded, of want of care and embezzlement of his necessaries when he was

sick, of denial of his fair share of prize money, of refusal of permission to visit his home after his voyage, of tyrannical usage by his officers, of a harsh code of discipline cruelly enforced by the lash. Many of the men had been impressed. Never was a mutiny better justified; never was a spirit so good and moderate shown by mutineers. The sailors committed no outrage; never forgot that they were Englishmen; loyally kept the king's birthday; and at once checked the slightest movement towards desertion to the enemy. There was, in fact, no doubt that had the enemy appeared, they would have fought him. A second outbreak of the mutiny headed by Parker, an ambitious demagogue with ends of his own, was more violent than the first. Yet even in this the behaviour of the men was wonderfully good, and the ringleader, when unmasked, was at once deserted, nor was there any other display of revolutionary sentiment; redress of the seaman's wrongs was the sole aim. The government was compelled to negotiate, which it did with dignity and skill, and to grant redress. After the second and more seditious mutiny, there were some hangings and floggings round the fleet, which would have been better bestowed upon the lords of the admiralty and the contractors. In all this history there is nothing brighter than the character of the British tar, with its childlike simplicity, its respect for discipline, its loyalty to the flag. By the British tar, in spite of blundering and jobbery, the country was saved. By his victories was sustained, under all reverses, the fortitude of the nation. Hard was his life and scanty was his reward. As the seaman was impressed, the soldier was crimped, or recruited in a way little better than crimping. Of course he was of the lowest grade, while French conscrip-



tion took the flower of the people. He was under-paid, ill-fed, ill-housed. He was subjected to a harsh discipline, and to the most cruel and degrading punishments. He had no hope of promotion. He was chained to the service for life. His officers were incompetent, careless, not seldom drunken. During the early years of the war he was under the command of generals described by Grenville as old women in red ribbons. Yet he fought well, and on many a red hillside rolled back the impetuous onset of conquering France. Napier contrasts the lot of the British soldier fighting in the cold shade of aristocracy with that of Napoleon's soldiers "fighting in bright fields where every helmet caught a ray of the glory." The British bumpkin thought not much about aristocracy; he preferred to be led by a gentleman, even if the gentleman was a boy; he did not feel the cold shade when he charged in his "majesty" at Albuera. Nor can the ray of glory have warmed the French conscript when he had been dragged by the mad ambition of a despot to perish amid Russian snows. It is true, however, that aristocratic privilege, in the way of commissions and promotions, was injurious to the army, and that the navy was better served for being less aristocratic. The nature of the naval service repelled privilege, which might appropriate a colonelcy but would hardly venture to undertake the management of a ship. When invasion threatened, a large volunteer force was formed. This showed national spirit, but perhaps it was fortunate that the volunteers did not meet on the battle-field of Hastings the trained veterans of France commanded by Napoleon, while the English, if the king's intentions were fulfilled, would have been commanded by George III.

1811

1794

Pitt now wore the appearance at least of sharing the Tory panic, once talked as if his own life were hardly safe from Jacobin poniards, and not only renounced reform, but entered on a course of violent repression. He acted like a changed man. For this he had no valid excuse. In a few hot heads revolutionary ideas might ferment, but the country at large was manifestly loyal and hearty in its support of the government; a few scores of revolutionary grasshoppers might chirp, but they were immeasurably outnumbered as well as outweighed by the conservative kine. The Corresponding Society, which embodied nearly all that there was of pronounced Jacobinism, was reckoned to have only six thousand members, nearly all of the lower class. Paine's answer to Burke might circulate, but its circulation was probably more due to the celebrity of the work to which it was a smart answer than to sympathy with the views of Paine. The golden dawn of the Revolution had entranced young and enthusiastic spirits, such as those of Coleridge, Southey, and Wordsworth. But an illusion, which never kindled sedition, ended with the September massacres and the Reign of Terror. The mob itself was anti-Jacobin; it rose upon the friends of the French Revolution at Birmingham, and wrecked the house of Priestley, their leading man. Imperfect as institutions were, the nation, comparing them with those of other countries, on the whole was content with them, and was averse from revolution. Danger of disaffection there was, as presently appeared, from the sufferings sure to be caused by war. Otherwise there was none; none, at least, which might not have been extinguished by moderate and safe reform. Yet Pitt suspended the *Habeas Corpus* for eight years.

1791

1794-

1801

He resorted to a series of repressive measures directed not only against acts but against opinions; a proclamation against seditious writings, a Traitorous Correspondence Act, a Treasonable Practices Act, a Seditious Meetings Act. The Treasonable Practices Act was a sinister enlargement of the definition of treason, though without the capital penalty; while the Seditious Meetings Act precluded even peaceful assemblings for objects of constitutional reform. A swarm of informers was called into activity by the government. Men were prosecuted for loose or drunken words, of which no man of sense would have taken notice, and for speculative opinions with which government had no right or reason to interfere. An attorney named Frost for saying in a coffee house, where he could not have meant to conspire, that he was for equality and no king, was tried before Lord Kenyon, a high Tory judge, and sentenced to six months' imprisonment, to stand in the pillory, to find security for good behaviour, and to be struck off the rolls. Another man, imprisoned for debt, having vented his spleen in what was plainly a mere lampoon, was sentenced to three years of imprisonment in Newgate, to stand in the pillory, and to find security for good behaviour for five years. For selling Paine's works and a political satire called "The Jockey Club," a respectable bookseller was sentenced to four years' imprisonment and to a heavy fine. Courts of quarter sessions, with benches of Tory squires, were empowered and employed to try political cases for the government, to which their character as tribunals must have been well known. Associations were formed under government patronage for the detection and prosecution of sedition. The impartiality of the jury was



thus tainted at the source. There was a Tory reign of terror to which an increase of the panic among the upper classes might have lent a darker hue.

In Scotland, where there was scarcely even a mockery of the representation of the people, the Tory reign of terror was worse than in England. Thomas Muir, a young advocate, was a champion of parliamentary reform, as any man with a spark of patriotism in Scotland must have been, for in Scotland such was the state of the representation that election was but a name. He had been a delegate to the Edinburgh convention of the Friends of the People. He was indicted ostensibly for sedition. In reality, as he with reason asserted, he was brought to trial for promoting parliamentary reform. The Lord Justice Braxfield, another Jeffreys, confirmed this assertion by charging the jury that to preach the necessity of reform at a time of excitement was seditious. The judge harangued the jury against parliamentary reform. The landed interest, he said, alone had the right to be represented; as for the rabble, who had nothing but personal property, what hold had the nation on them? Another judge said, if punishment adequate to the crime of sedition were to be sought for, it could not be found in our law, now that torture had been happily abolished. Of the three Roman punishments, crucifixion, exposure to wild beasts, and deportation, it was said from the bench, we have chosen the mildest. Muir was sentenced to transportation for fourteen years. Efforts were made in parliament to get the sentence reversed, but the government stood by Scotch iniquity. Romilly, who was present at the trial, was greatly shocked and brands as detestable the Scotch administration of justice.

In the trial, ostensibly for sedition, of an advocate of universal suffrage, a judge said in summing up, "Gentlemen, the right of universal suffrage the subjects of this country never enjoyed, and were they to enjoy it, they would not any longer enjoy either liberty or a free constitution. You will therefore consider whether telling the people that they have a just right to what would unquestionably be tantamount to a total subversion of the kingdom is such a writing as any person is entitled to compose, to print, and to publish." The sentence in this case was transportation for seven years.

Was Pitt responsible for all? With pain it must be said that he was responsible for all, notably for the transportation of Muir. Once, in a case in which an indictment for constructive treason was brought against a parliamentary reformer, he was put in the witness-box to own that he had himself advocated reform of parliament. The son of the morning, Chatham's heir, had fallen indeed. He could say that circumstances were changed and that policy must change with them. He might have said that even if circumstances had not changed, a statesman had a right to change his mind, and that the public good required that his avowal of change should be free. But no one has a right, in dealing with others, to repudiate his own past.

Against these invasions of liberty Fox eloquently de- 1797  
claimed. No more could he do. Repelled by his revolutionary attitude, conservative Whigs, with Portland, Grenville, and Windham at their head, had gone over to the government, and the leader of the opposition was left with a feeble troop. Political parties formed themselves anew on the burning question of the Revolution. Of the

forty or fifty members whom Fox could still muster not a few were members for nomination boroughs in the gift of great Whig nobles who adhered to their family traditions. The minister therefore was all-powerful, and a fresh election only increased his majority. Fox, with Sheridan, Grey, and Burke, kept up a war of indiscriminate invective, by which they could only forfeit whatever influence they might otherwise have had and confirm the minister, as Fox by the same conduct had confirmed North, in the policy from which they desired to restrain him. It seems not impossible that Pitt might have been restrained, had he been approached in a better way. That the Liberal was not dead in him, his subsequent conduct on the subject of Catholic Emancipation proved. In 1792 he had said that it was his wish to unite cordially and heartily, not in the way of bargain, but to form a strong united ministry, and that to Fox he had no personal objection, though he feared he had gone too far. At a later period than this he was willing to coalesce with Fox. But by this time the spirit of party had been added personal hatred, and the counsels of Fox and the Liberals were thus lost to the nation.

A stand more successful and ever memorable was made by Erskine in courts of law. The government, ill-advised by its law officers, brought charges of constructive treason, which could not be sustained, against Horne Tooke, Hardy, Thelwall, and others. Horne Tooke's opinions might be extreme, but he could not be suspected of treason, while his bold and ready wit made him dangerous game, and his trial was little more than a farce. The  
1794 accused were defended by Erskine, whose speeches were



masterpieces of the advocate's art. To him was opposed Sir John Scott, afterwards Lord Eldon, the genius of irrational law, who vainly strove by prolix and elaborate construction to involve the prisoners in a technical net which at a stroke Erskine rent and flung aside. "How," said a juror, "could I find a man guilty of a crime when it took the attorney-general nine hours to tell us what it was?" Scott, whose love of money earned him afterwards the name of Old Bags, opened a speech with a picture of his own disinterestedness, over which he shed tears. He would have nothing, he said, to leave to his children but his good name. "What," asked a bystander, "is Scott weeping about?" "He is weeping," was the reply, "to think how little he will have to leave to his children." In these trials the government was defeated. It excused an error which brought upon it odium and contempt by pleading the wholesome effect of the political revelations. But to put a man on trial for his life without adequate proof of crime for the purpose of creating a political effect is an abuse of a court of justice. One good fruit, however, the trials bore; they confirmed the confidence of the people in the jury as a sufficient safeguard of personal liberty. The credit of the jurymen was not on this occasion shared by the bench. The chief justice, Kenyon, showed his Tory bias. As a rule English judges, though appointed, till recently, by party, have doffed the partisan in donning the ermine. Regard for professional reputation and the criticism of a strong bar have generally proved a sufficient guard for judicial virtue.

The platform, in spite of the rod held over it, was not mute. A great public dinner in celebration of Fox's birthday was attended by two thousand persons. At this 1798

the Duke of Norfolk, a sort of English counterpart of D'Orleans Egalité in opinion, though not in polish, for he was unwashed as well as drunken, gave as a toast, "Our sovereign's health, the majority of the people." Fox, at a meeting of the Whig Club, repeated that toast, and was struck off the privy council.

The expense of the war, including the subsidies to allies, was immense and taxed to the utmost Pitt's skill as a financier as well as his hold on public confidence. He began by trying to raise supplies within the year. But his expenditure soon exceeded the measure of endurable taxation, and he was fain to cast upon posterity the enormous burden of which the greater part is still borne. At his death the public debt had mounted from two hundred and forty-seven to six hundred and twenty-one millions, and at the end of his war to eight hundred and sixty-one millions, bearing thirty-one millions and a half of interest. His mode of borrowing has been impugned, but he probably got the full value of his consols. The sinking fund to which he clung as the means of ultimate redemption only served by its operation to make matters a little worse. His three per cents fell at one time to forty-seven. He was driven to a suspension of cash payments, followed by the invariable results to commerce and industry, with the inevitable expense of ultimate redemption, so that in fact suspension was an addition at a high rate of liability to the national debt. Did the thought ever present itself to him that the nation might have an advantage in its immortality, and that between an annuity of a hundred years and a perpetuity, while there would be little difference to the mortal purchaser, there would be great difference to the immortal state? To

meet the drain, the new manufactures were producing wealth, while trade derived a factitious prosperity from war expenditure and destruction of the enemy's mercantile marine. Commercial men zealously supported the minister. By a unanimous agreement to take bank notes at par they in great measure averted the depreciation of his paper currency. They crowded to subscribe for a Loyalty Loan on terms involving a sacrifice to subscribers. They were ready with free gifts, and one of a firm having put down ten thousand pounds for his firm, without the knowledge of his partner, was told when he apprehended the partner's anger that he might as well have made it twenty thousand.

Foreign grain being excluded by the war, the price of the home product was raised. Land not otherwise worth tillage was brought under the plough. Rents rose, and tithes along with them. In war power there is usually a political element, and British aristocracy showed its constancy in the struggle with France and Napoleon, as Roman aristocracy had shown its constancy in the struggle with Carthage and Hannibal. But its constancy was made easy by high rents. In general it behaved patriotically about taxation, but it resisted the extension of the succession duty from personal property to land. On the common people, small traders, labourers, and mechanics, the burden of endurance chiefly fell; and great their suffering was. In bad years grain rose to almost famine price, and all such palliatives as restrictions on the use of wheat-flour for pastry, or of wheat in the distilleries, were ineffectual, while worse than ineffectual was the attempt to revive obsolete laws against forestallers and regraters, which the chief justice, Lord



Kenyon, in his wisdom, chose to applaud. There were bread riots; Pitt was hooted; the king was mobbed; and when at last a French envoy brought a peace, the people took the horses out of his carriage and drew it through the streets.

Still Pitt's ascendancy in parliament and the country remained the same. A fresh election went in his favour. After each reverse in war, he rose in the House of Commons undaunted, lofty as ever, and with his sonorous eloquence revived the spirits of his friends and restored their confidence in their chief. As the horrors of the Revolution and the indiscretions of Fox and others of its English friends increased, the more moderate Whigs, led by Portland, the former head of the Coalition, went over to the government. Among them was Windham, the model of an English gentleman, in whom high academical culture was combined with a love of prize-fighting and bull-baiting, an indomitable advocate of war.

Fox's following was reduced to fifty, of whom nearly one-half were members for nomination boroughs. He constantly showed his power in debate, but he and his associates damaged themselves and their cause by indiscriminate attacks on the government and unpatriotic bearing. "I will not," said Wilberforce, "charge these gentlemen with desiring an invasion; but I cannot help thinking that they would rejoice to see just so much mischief befall their country as would bring themselves into office." Fox could say, "The truth is I am gone something further in hate to the English government than you and the rest of my friends are, and certainly further than can with prudence be avowed; the triumph of the French government over the English does in fact afford

me a degree of pleasure which it is very difficult to disguise." When the news of Trafalgar arrived, his comment was, "It is a great event, and by its solid as well as brilliant advantages far more than compensates for the temporary succour which it will certainly afford to Pitt in his distress." Such is party. How was it possible that a public man, visibly actuated by such feelings, should have influence with a nation engaged in a struggle for its very existence? Fox's avowal that he thought the submission of the people to a repressive law was no longer a question of moral obligation and duty but only of prudence, may pair off as an indiscretion with Bishop Horsley's saying that he did not know what the mass of the people in any country had to do with the laws but to obey them.

Legislation other than repressive and reform of every kind, whether in church or state, stood still. Even the movement of humanity for the abolition of the slave-trade was thrown back by the dread of revolution. The answer to every proposal of reform was that this was not the time; though in truth it was the very time for such reforms as catholic emancipation and the abolition of nonconformist disabilities, which would have extinguished sources of disaffection and united the nation in its hour of peril.

This is deemed the golden age, though not of legislation, of parliamentary eloquence. One who having heard Pitt and Fox listened to the debates of the next generation, though Grey, Plunket, and Canning were then among the speakers, noted or fancied that he noted a marked decline. Reporting being as yet very imperfect, members still spoke more to the House than to the gallery, and as the political press was weak, the editorials of the morning did

not take the wind out of the sails of evening eloquence. The themes were in the highest degree momentous and inspiring. Pitt in his oratory as in his statesmanship was the opposite of his father. There was in his speeches nothing of Chatham's lightning. He had a wonderful command of rounded and stately periods, acquired under his father's tuition by the practice of translation at sight. He was grand in argument and in exposition, in financial exposition above all. His voice was musical and his delivery was impressive. Fox had practised from boyhood as a debater and attained the highest perfection. The character of the speaker, the warmth and spontaneity of his utterances, would lend the speech a charm. Each is seen at his best in the debate of February 3rd, 1800, on overtures of peace from France. Pitt's speech, if it was not prepared by pen, is miraculous; almost more miraculous is Fox's reply, made as soon as Pitt sat down, unless he had anticipated, as he well might, some of his antagonist's points. Sheridan's speech upon the impeachment of Hastings, the Begum speech as it was called, received the extraordinary tribute of an adjournment of the House to give the judgment of members time to cool. But it is lost, and we have no means of assuring ourselves that Sheridan could rise so high. Wilberforce was silvery and homiletic. Windham was forcible in debate though liable to escapade. Dundas was not eloquent but practical and spoke for votes. Erskine, so great at the bar, failed in the House. It is doubtful whether, setting Burke aside as a grand essayist rather than an orator, anything remains of the golden age much superior in literary or political value to a great speech of John Bright or Robert Lowe.



One great measure of improvement for which Pitt in his brighter hour had striven to pave the way he was destined in his darker hour to carry, though through the agency of events which left a terrible stain on its record and are for ever to be deplored. That measure was the legislative union with Ireland.

1800

How unworkable was the union of crowns with separate parliaments was seen when on the question of the Regency the Irish parliament flew apart from that of Great Britain and resolved to recognize the Prince of Wales, who called himself a Whig, as Regent in his own right and without limitations, while Pitt and the Tory parliament of Great Britain proposed to confer on him by Act of Parliament a Regency with limited powers. The two monarchies had been held together and the government of the smaller country had been kept in uneasy and precarious unison with that of its greater yoke-fellow only by Irish crown boroughs and the power of an intrusive church establishment, combined with systematic bribery and corruption.

Like the American Revolution, the French Revolution extended its contagion, as well it might, to Ireland. In Ireland there was the old quarrel, still not quite extinct, of race; there was the old quarrel, still living in memory, between the two races, about the land; there was the double religious quarrel, between catholics and protestants, between the state church and Presbyterians; there was the payment of tithe in kind, its most vexatious form, to the griping tithe-proctors of an alien church; there was a parliament of crown or pocket and purchasable boroughs, bought and sold in market overt, which was a mockery of representation; there was a domination of jobbers; there was absenteeism on a large

scale; there was a miserable peasantry holding little potato grounds under middle-men who sublet at exorbitant rents, and multiplying with the recklessness of abject and hopeless poverty. The relations between the gentry, at least the lower gentry, squireens as they were called, middle-men as they often were, and the common people were very bad, the squireen being insolent as well as dissolute and lording it over the peasant with the lash. The state clergy, scandalously pluralist and sinecurist, partly absentee, as well as alien and hated, could have no influence over the people. The catholic church, which had great influence, was the natural enemy of protestant ascendancy.

It was not among the catholics, however, or in the quarrel between catholics and protestants that rebellion had its origin. It had its origin in Presbyterian Belfast and in a circle of free-thinkers full of the doctrines of Tom Paine, and fired by the French Revolution. By the catholic clergy, the Revolution, being atheist, was abhorred; the more so as most of them, denied by the penal law places of education in Ireland, had been educated on the continent, and in religious houses which the Revolution had destroyed. The Belfast conspirators, themselves indifferent as free-thinkers to the religious quarrel, assumed the title of United Irishmen, and strove to combine the catholics with the protestants in a political  
1791 rebellion. They succeeded only so far as to set boiling all the elements in the fatal caldron of Irish discord and distraction. The catholic peasantry organized themselves as Defenders for agrarian insurrection, with perhaps some admixture of religious enmity. The protestants, seeing their immemorial foes in motion, organized themselves on

the other side as Orangemen and vied with the catholics 1795  
 in outrage. Over Ulster, and in a less degree over Mun-  
 ster and Leinster, the reign of a murderous anarchy  
 set in. Belfast conspiracy, meanwhile, was stretching out  
 its hands to revolution in Paris and inviting a Jacobin  
 invasion. It found a leader and envoy in Wolfe Tone, a  
 brave, light-hearted, and dashing adventurer, who, when 1793  
 set to more serious work, showed ability of a higher kind,  
 and who could boast that with him hatred of England  
 had become an instinct.

Fitzgibbon, afterwards Lord Clare, the leading spirit  
 of the ruling party, a man of boundless courage and  
 great ability, was for the strict maintenance of protestant  
 ascendancy and for unflinching repression. More liberal  
 was the young Castlereagh, now rising into power. Pitt,  
 who in his Irish policy was still Liberal, and Dundas  
 were inclined to go as far as the Tories and the king  
 would let them in the way of reform and conciliation.  
 They were partly in sympathy with Grattan, the great  
 Irish orator and patriot and the father of independence,  
 and his small group of constitutional reformers, who were  
 for complete emancipation and redress of abuses, but  
 thoroughly against revolution and in favour of British  
 connection. In 1793 the Irish parliament, with the 1793  
 approbation of the government, passed a large measure  
 of catholic emancipation, though against the opinion  
 of Clare. By this measure the elective franchise and  
 the right of sitting on juries were restored to the  
 catholics; their ownership of property was set free from  
 the restraints of the penal laws; the army up to the  
 grade of colonel was thrown open to them, and they were  
 released from ignominious restrictions on their possession



of arms and horses; while a subsequent Act partly removed their disabilities in regard to education. Unhappily they were still excluded from sitting in parliament. Thus the brand of degradation was left, and the support of the catholic gentry, who were well disposed towards the government, and whom it ought to have been the first object of the government to unite with itself in the maintenance of order, was, perhaps, more than ever repelled.

- 1794 In 1794 the Conservative Whigs, Portland, Fitzwilliam, and Windham, having joined Pitt's administration, sought to apply the Liberal principles of the Whig party to the government of Ireland, which was under the Home Office, Portland's department. Fitzwilliam went to Dublin as Lord-Lieutenant, with the besom of administrative reform in one hand and the olive branch of catholic emancipation in the other. Great hopes were excited by his coming. Unfortunately he was rash, and at Dublin outran if he did not contravene his instructions. By proclaiming at once a complete change of system he stirred to desperate opposition Clare and the whole party of ascendancy and Castle rule. He at once dismissed from office John Beresford, the representative of a great jobbing house, which by assiduous accumulation of patronage had made itself a most formidable power. Pitt, pressed no doubt by the Tory section of his ministry as well as by the friends of ascendancy in Ireland, was
- 1795 obliged to recall the viceroy, while Portland, the head of Fitzwilliam's party, acquiesced in the recall. Fitzwilliam took his revenge, not very nobly, by publishing a confidential paper and doing all the mischief that he could. His mission had not only failed, but by dashing sanguine

hopes had done incalculable harm. He departed amid public mourning, while his successor, Camden, was received with popular execration. 1795

The next scene in the drama was French invasion. Hoche, a renowned general of the Revolution, with a large fleet and army, sailed from Brest. No British fleet, 1796 to bar its way, appeared. In Ireland there was no force capable of coping with the invasion. The country was saved by a storm which separated the French commanders from their armament and drove the French fleet from the Irish coast, when it had ridden for some days in Bantry Bay. That in Ireland itself rebellion was not ripe, and that the movement among the peasantry was rather agrarian than political, appeared from the conduct of the peasants, who readily boiled their potatoes for the soldiers. A small French force under Humbert afterwards effected a landing, and once more proved the 1798 superiority of régulars over irregulars, by putting to ignominious rout a large body of militia at Castlebar. But in the end it was compelled to surrender. A great expedition was fitted out by Holland, now the Batavian 1797 Republic, the nation to save which from French aggression England had been spending blood and money. It was ready to sail when the British navy was paralyzed by mutiny. But the winds were again faithful to the 1797 Queen of the Seas. They kept the Dutch armament in port. When it was able to put out, the mutiny was over and all fear of Dutch invasion was ended by Duncan's victory at Camperdown. Hoche, who was bent on the 1797 invasion of Ireland, died. Into his place mounted Bonaparte who had no faith in Irish revolution and little sympathy with revolution anywhere. "They have made

a diversion," he said of the Irish to the Directors; "what more do you want of them?" In the negotiations for peace, little thought was bestowed by the French government upon its friends in Ireland.

Foreign aid having failed, nothing was left for the revolutionists but domestic insurrection, however hopeless. For this the United Irishmen had prepared by secret organization, for which the Irish have a strong taste and aptitude, by the administration of secret oaths, and by the clandestine collection of arms. Society broke up. The gentry lost all influence over their tenants and were besieged in their houses, the mansion becoming an object of war, like the chateau. Everything in the shape of a pole was seized, and saplings were cut down, as handles for the pikes, the heads of which patriotic blacksmiths were busily forging. Of the priests only the lowest joined the movement. Those of the higher class and the hierarchy might have sympathized with agrarianism, still more with the religious uprising against heretical domination, but they could hardly sympathize with Jacobinical and atheistic revolution. The government, finding itself beset with perils great and magnified by rumour, proclaimed martial law, and being ill provided with regular troops let loose the yeomanry and Orangemen on the people. Now set in a reign of agrarian outrage and murder on the one side; of flogging, pitch-capping, picketing, and burning of suspected houses on the other. A party of forty or fifty Catholic Defenders enter the house of an excellent and benevolent schoolmaster named Berkeley, who had given no offence beyond that of being a member of a colony planted for the improvement of industry in the district. They stab him in several places,



cut out his tongue, and cut off several of his fingers. They mangle his wife in the same way, and hideously mutilate a boy of thirteen. They plunder the house, and then march in triumph along the road with lighted torches. The feeling of the neighbourhood is entirely with them; only one of the culprits is brought to justice; he refuses to give evidence against his accomplices, and goes to the gallows with the air of a martyr. This crime is a specimen of many. As a specimen of what was done on the side of order, we have Mr. Judkin Fitzgerald perambulating Tipperary, and extorting confessions of concealed arms or secret associations with the torture of the lash. He ties up a man named Wright, and gives him fifty lashes. An officer comes and asks the reason of the punishment. Fitzgerald hands him a French note found on the prisoner, saying that though he could not read French himself, the major would find in it what would justify him in "flogging the scoundrel to death." The major reads it and finds it to be an insignificant note postponing an appointment. Fitzgerald, nevertheless, orders the flogging to proceed. Wright is flung, a mass of wounds, into a prison cell, with no furniture but a straw pallet, where he remains for six or seven days without medical assistance. Judkin Fitzgerald was afterwards brought to trial, and was not only snatched from justice, but rewarded and honoured. Sir Ralph Abercrombie, a humane and honourable soldier, being put in command, denounced in stinging terms the excesses of the yeomanry, and strove to restore discipline. He was thrust from his command by the party of violent repression, and the whole hell-brood of passions, agrarian, social, political, and religious, raged without restraint over a great part of the island.

1798 Finally rebellion broke out in Wicklow and Wexford, where the revolutionary influence prevailed. A host of catholic peasants, armed partly with muskets which they did not know how to use, but chiefly with pikes which they used with good effect, took the field under two savage priests, one of whom, Father Murphy, showed an instinct of command. They defeated and hideously butchered two or three detachments of the troops, took the city of Wexford, and on its bridge killed a long train of prisoners by hoisting them in the air on their pikes and then letting them drop into the water. They formed a great camp on Vinegar Hill, and there committed a series of fiendish murders. But they were presently over-  
1798 powered by superior forces, and a bloody reign of vengeance ensued. These orgies of blood were checked by  
1798 the arrival in full command, military as well as civil, of the excellent Cornwallis, who has described the state of things which he found. "The yeomanry," he says, "are in the style of the loyalists in America, only much more numerous and powerful and a thousand times more ferocious. These men have served their country, but they now take the lead in rapine and murder. The Irish militia, with few officers and those chiefly of the worst sort, follow closely on the heels of the yeomanry in murder and every kind of atrocity; and the fencibles take a share, though much behindhand, with the others. The language of the principal persons of the country all tends to encourage this system of blood, and the conversation at my table, where you will suppose I do all I can to prevent it, always turns on hanging, shooting, burning, etc. And if a priest has been put to death the greatest joy is expressed by the whole company." On his arrival, Corn-

wallis says, he "put a stop to the burning of houses and murder of the inhabitants by the yeomen or any other person who delighted in that amusement, to the flogging for the purpose of extorting confession, and to the free quarters which comprehended universal rapine and robbery throughout the country." He tells us that of the number of the enemy killed a small proportion only are killed in battle; that he is afraid that any man found in a brown coat within several miles of the scene of action is butchered; and that members of both Houses of parliament are averse to all acts of clemency and desire to pursue measures which would terminate in extirpation. The yeomanry and militia, let it be remembered, as well as the members of parliament, were Irish, and this was before the union. There is evidence that the regiments of the regular army were, compared with the yeomanry and militia, a power of mercy. "The respect and veneration with which I hear the names of Hunter, Skerret, and Stuart . . . pronounced, and the high encomiums passed on the Scotch and English regiments under whose protection the misguided partisans of rebellion were enabled to return in safety to their homes, convinces me that the salvation of the country was as much owing to the forbearance, humanity, and prudence of the regular troops as to their bravery. The moment the militia, yeomanry, and Orangemen were separated from the army, confidence was restored." So writes the historian Wakefield, to whom it is no answer to say that his history was not official, and that he wrote fourteen years after events which must have been deeply imprinted on his memory.

The parliamentary government of Ireland had sunk in blood. About the last measure of the oligarchical legis-



lature was an Act of Indemnity for the illegal infliction of torture on suspected rebels. No power of order remained except the British army. It was impossible to leave the catholics in the hands of the protestants, or the protestants in the hands of the catholics. To do either would have been to give the signal for the renewal of a murderous civil war. Union of the crowns without union of the parliaments had proved unworkable, and was sure thereafter to be more unworkable than ever. Nor would there have been any chance of inducing the borough-owners of the Irish parliament to consent to a reform which would evidently have been their own destruction. There was nothing for it but to bring both races and religions, with all the warring sections and interests, whether political or social, under the broad ægis of an Imperial parliament. That course had its drawbacks. It was sure to import a perilous element into the parliament of Great Britain and at the same time to entangle Irish questions with the conflict between British parties. The first of these consequences at least was foreseen at the time, though the shape which the evil would take, that of an Irish party in the House of Commons fighting for its own objects, regardless of Imperial interests and playing on the balance of British parties, was not foreseen; the fear at the time being rather that the Irish would swell the forces of the crown. But the necessity was overmastering.

So Cromwell's policy of a legislative union was revived. Unhappily, the thing could no longer be done in Cromwell's way by direct and simple incorporation. It was thought necessary to obtain the consent of the Irish parliament, and the consent of such a parliament

could not be obtained by mere proof of the wisdom of the measure or by methods entirely pure. Cornwallis, therefore, as viceroy, had work to do from which his integrity shrank. Yet it is untrue, however generally believed, that the union was carried by bribery. Compensation was given by Act of Parliament to all owners of boroughs on the principle, then accepted and recognized in Pitt's measure of parliamentary reform for England, that the nominations were property; and it was given to the borough-owners who had opposed as well as to those who had supported the union, some of the largest sums, in fact, going to opponents. For each borough fifteen thousand pounds were paid, and the sum of one million two hundred and sixty thousand pounds was spent in this way; nor is the price reckoned to have been excessive. Money was spent by both parties in the contest, but of pecuniary corruption on a large scale there is no proof, nor does it seem possible to point out the fund from which the means could have been supplied. Peerages or promotions in the peerage, it is true, were lavished on borough-owners as the price of their support. In the short vicerealty of Cornwallis twenty-eight Irish peerages were created, six Irish peers were made English peers for Irish services, and twenty Irish peers were raised to a higher rank in the peerage. Lord Ely, with his eight nominees, was bought with the promise of an English peerage. This, if not bribery, was corruption, though corruption which cost the state little; and Lord Gosford, who voted for the union, refused an offer that his motives might be above suspicion. But without compensation of some kind it would have been impossible to induce a strong oligarchy to surrender its monopoly of

power and patronage as well as the exclusive field of its ambition. The patronage of the government, civil, ecclesiastical, and judicial, was also used in support of its policy. But this is always done under the party system. Untrue, too, is the assertion that the union was forced on Ireland by a great British army. The yeomanry and militia were not British but Irish. Invasion still impended, and the viceroy reported that though he might have force enough to maintain order, he had not enough to resist invasion. The union may be said to have been carried by political necessity combined with the exhaustion and panic following upon a civil war. Everyone who had a throat to be cut, a wife or a child to be mangled, a house to be burned over his head, or a herd of cattle to be houghed, might well wish to be transferred from the realm of anarchy to that of a government strong enough to keep the peace. The catholic bishops, the best judges perhaps of the interest of their people, were for the measure, and the chief of them took an active part in its favour. Arthur O'Leary, the foremost of catholic writers, though doubt rests on his independence, if not on his integrity, took the same side. The viceroy, after a tour of inspection, could report a general appearance of at least passive acquiescence. Dublin was naturally unwilling to lose its position as political and social centre. Yet the demonstrations even in Dublin were not violent. Grattan, a sincere and honest as well as able advocate of independence, fought with all the force of his eloquence against union, but he hardly measured the change which had come over the scene since the day on which independence was won. It is said that there ought to have been an appeal to the nation by a



dissolution of parliament and a new election. But if the appeal was not to be illusory, it would have been necessary first to reform the representation and to admit catholics to parliament. The idea of a plébiscite was by no one seriously entertained. An appeal to the Irish nation in any form was in truth impossible, since Irish nation there was none; there was only a land which formed the scene of a war between two races not merely alien but deadly and immemorial enemies to each other. After a great parliamentary struggle, in which the force of Clare and the skill of Castlereagh were pitted against the vehement eloquence of Grattan, the persuasive art of Plunket, and the powerful reasoning of Foster, the measure passed the Irish Commons by a hundred and fifty-eight votes to a hundred and fifteen, and the Irish Lords by seventy-five to twenty-six. The island realm was united at last. 1800

Through the British parliament the union passed with ease, Pitt being all-powerful there. In duty to party, perhaps to faction, it was opposed by the small band of Whigs. Fox himself stayed away from the House, pouring his denunciations into the bosom of Grattan and leaving the debating to be done by Sheridan and Grey. He never moved for repeal. Grey afterwards as prime minister pledged the sovereign and the Whig party to employ all the means in their power to preserve and strengthen the legislative union as indissolubly connected with the peace, security, and welfare of the nation, expressing his own emphatic opinion that its repeal would be ruin to both countries. Of the two greatest speakers against the union in the parliament of Ireland, one, Grattan, sat acquiescent at least and loyal in the parlia-

ment of the United Kingdom; the other, Plunket, sitting in the united parliament and advocating catholic emancipation, avowed that his opinions in regard to the union had undergone a total change, and that he who in resistance to it had once been prepared to go the length of any man, was now prepared to do all in his power to render it close and indissoluble. He had formerly, he said, been afraid that the interests of Ireland, on the abolition of her separate legislature, would be discussed in a hostile parliament; he would now state, and wished that the whole of Ireland might hear his statement, that during the time that he had sat in the united parliament he had found every question that related to Irish interests or security entertained with indulgence and treated with the most deliberate regard.

In its political aspect the union, whether free and honourable or not, was equal. It followed generally the analogy of the union with Scotland. Ireland got her share of the representation both in the Commons, on a mixed basis of population and property, and in the Lords. In the Commons, by the redistribution of the seats, she got a partial reform of her representation. In the case of the Irish peerage, as in the case of the Scotch peerage, the system of representatives elected by their order was adopted, thus again introducing the elective principle, though once more in the mildest form possible, into the House of Lords. Party not being constitutionally recognized, no provision against a party monopoly was made; the consequence of which has been the exclusion from parliament of Liberal Irish peers. With regard to the church the example of the treaty of union with Scotland was followed with a fatal difference. In the case of

Scotland the establishment guaranteed by the treaty of union was the church of the Scotch people; the establishment guaranteed by the treaty of union with Ireland was the church of a dominant minority, alien and an object of most just hatred to the people.

Pitt had intended that the union should be followed by a measure of emancipation admitting the catholics to parliament, by a provision for their clergy, and by a commutation of tithes. The hope of emancipation, held out informally and indefinitely to the catholics, had no doubt helped to win their support for the union, though deliverance from Irish protestant ascendancy might have been inducement enough. To the admission of catholics to parliament Pitt knew the king to be strongly opposed, and he seems to have thought it best, before approaching him, to secure the concurrence of the whole cabinet, which, as some of its members were wavering, took time. Meanwhile he was betrayed by the chancellor, Lord Loughborough, Wedderburn that had been, an intriguer who wanted to play the part of the king's familiar friend. Loughborough crept to the royal ear, revealed what Pitt in confidence had imparted to him, and confirmed a half-insane mind in the fancy that consent to catholic emancipation would be a breach of the coronation oath and a forfeiture of the crown; a notion which the two great Tory lawyers, Kenyon and Scott, had, much to their credit, pronounced baseless. The archbishops of Canterbury and Armagh, with the bishop of London, completed Loughborough's work, and Pitt, when he approached the king, found him inflexible. "It was the most Jacobinical thing ever heard of," said the monarch, who had been allying himself with the catholic powers of Europe in his



crusade against the Jacobins. Whoever voted for catholic emancipation, he said, would be his personal enemy, using his favourite formula, with his usual contempt for the principles of the constitution. If he granted catholic emancipation, his logical mind told him, the kingdom would depart from his house and go to the catholic house of Savoy. Thus catholic emancipation was deferred for many a day with fatal consequences to the union and the realm. Provision for the catholic clergy also fell to the ground. Not even tithe commutation was carried, and the tithe-proctor was left to vex and to provoke outrage as before. Nor was military command thrown open to catholics though the army was full of catholic Irish. Pitt discharged the debt of honour by resignation.

Pitt's relations with royalty had been formal. George must have rejoiced when in place of his haughty and powerful minister came Addington, a courtly mediocrity, who had decorously filled the Speaker's chair, and whose most conspicuous achievement was the recommendation of a liop pillow to the king as a soporific, by which he earned the nickname of the Doctor. Pitt having taken with him the brains of his Ministry, that of Addington was not less weak than its chief. Eldon, the embodiment of high Toryism, of king-worship, of intolerance, and of law's delay, became chancellor. Loughborough, it is pleasant to recount, missed his prize. Clinging to hope and perhaps nursing the fancy that the chancellor was a fixture, he continued to intrude himself, though out of office, into the meetings of the cabinet till Addington showed him the door. Vainly he danced attendance upon royalty; even George III. saw through

him, and when his death was announced, after carefully assuring himself of the fact, pronounced the obituary, "He has not left a greater knave behind him in my dominions." 1805

It was generally felt that Addington was only Pitt's warming-pan, and scarcely had a change of ministers taken place when the reason for it was annulled. A fit of the king's malady was brought on by the crisis. Thereupon Pitt renounced any intention of reviving the question of catholic emancipation during the life of the king. His act is open to sinister construction. But if the king could not be converted, he certainly could not be overborne. His domestic virtue had given him a popularity which his malady only increased. In character, habits, and diet, he was a John Bull; his prejudices, notably that against the catholics, were the prejudices of the masses. Pitt might remember that the king was twenty years older than himself and not in the best of health. He might also think that if there was a chance of softening the king's prejudice it was by touching his heart. It has been suggested that Pitt's own health was failing and with it his strength of will. From his boyhood he had been taught by the family physician to drench himself with port, and that medicine combined with toil and anxiety had no doubt done its work. But over the king's prejudice no strength of will could have prevailed. In the sequel this plainly appeared. 1801

To the resignation of a power so long held, wielded so ably, and so loved, Pitt may have been partly reconciled by the necessity, now too manifest, of making peace with little honour. There was no longer anything to be gained by the war, or any apparent reason for its continuance. Austria,

after a run of success during Bonaparte's absence in  
1800 Egypt, had been crushed at Hohenlinden and Marengo,  
and forced to make an ignominious and disastrous peace.  
No ally was left to England but Turkey, Portugal, and  
Naples. French aggrandizement was most dangerous  
and threatening to the independence of Europe, but its  
reversal was past hope. Jacobinism, against which the  
war had been a crusade, the Revolution itself, and even  
republicanism, had been extinguished by Bonaparte. In-  
stability, such as would constitute incapacity to treat,  
could not reasonably be predicated of the Consulate. The  
boundless rapacity and perfidy of the First Consul, which  
in reality made lasting peace impossible, had not yet been  
fully manifested and could not be presumed. War expen-  
diture and lavish subsidies to needy, half-hearted allies  
had piled up the debt to five hundred and forty millions.  
Commerce felt the disturbance of the currency. The  
sufferings of the people were great, and were only en-  
hanced by a poor law which fostered pauperism and by  
giving premiums to early marriages and large families  
encouraged paupers to multiply their kind. Discontent  
1800 began to show itself in riots. Dislike of the war was  
growing in Pitt's own party and threatening him with  
mutiny. His warm ally, Wilberforce, had been moving  
in favour of peace.

1802 Peace was made at Amiens; but it was no peace, as  
appeared before the ink of the signatures was dry, for  
Bonaparte's aggressions were not for a moment suspended.  
He went on laying robber hands upon the neighbouring  
states of Holland, North Italy, and Switzerland, as after-  
wards he did on Spain. War, new victories, and fresh  
glories were, as himself avowed, indispensable to his hold



on the French heart. If he pretended to make peace, it was only as a move in his game. France, spent with revolution, had made herself absolutely over to a military despot, with whom it was indeed hopeless to negotiate, with whom the conflict was really internecine. Henceforth the war is not a struggle against republicanism and atheism in the interest of monarchy, aristocracy, and state churches, but a struggle for national independence and for the independence of all European nations against the boundless aggression of a conquering and tyrannical power. Are there in history no accidents such as must baffle science? What science of history could have predicted that with Corsica France would annex Napoleon Bonaparte, a man combining supreme genius for war and for despotic administration with a devouring ambition, and with a character as remote from moral civilization as that of any native of his isle? This adventurer coming to a political field swept clear for him by revolution, having won the greater part of the army by his splendid victories, and sent that part of it which he had not won, Moreau's troops, to perish in San Domingo, was absolute master of France, whose blood and resources, himself never a Frenchman but always a Corsican, he spent ruthlessly for his own aim; an aim which, however grandiose, was not less vulgar and fatuous than it was immoral; for who could imagine that all the nations of Europe would allow themselves to be permanently made dependencies of France? The French people, ever ready for the yoke of a master, whether he be Grand Monarque, Jacobin dictator, or emperor, ever loving military glory and domination abroad more than liberty at home, put themselves slavishly into his hands. Year after year, by the vote of a

legislature formed of his own tools, he drew her youth, and at last her boys, into his armies, and with his vast hosts, still animated by something of revolutionary enthusiasm, but by more of the restless spirit of adventure, overthrew the hireling battalions, the effete strategy, and the mouldering dynasties of Europe, till at last his tyranny roused the nations. Peace with him was impossible. He meant nothing less than the subjugation of Europe. Nor could any treaty bind his perfidy. Of moral sense he was totally devoid. No human suffering, no horrors of the battlefield touched his heart; he had, besides his ambition, a savage delight in the game of war. He had not even national interest to restrain him, for he never was a Frenchman. France he treated as the engine of his ambition and the nursery of his armies. Little interest could she have in his Russian expedition. The nation that fought with him was fighting for its life.

1803

Bent on peace as Addington was, he had therefore to renew the war. To its conduct he and his colleagues were unequal. There was a general call for Pitt, who had at first loyally supported Addington, and being no longer able to support him, yet debarred by their connection from opposing him, had ceased to appear in the House. But Addington was satisfied with himself, and George III. was more than satisfied with Addington. The restless and aspiring genius of Canning, who now comes upon the scene, conceived the scheme of dislodging Addington by a round robin. Pitt, of course, put his veto on a device which savoured of conspiracy. Addington at last yielded to gentle compulsion, and Pitt once  
1804 more was head of the state. He came in pledged not to revive the catholic question. This was bad; but what

was Pitt to do? He could not convert the king, he could not dethrone him, nor could the ship of state be left without its helmsman in the stormy night on the lee shore. Between monarchical and elective government there was an awkward interval in which the court, having lost its responsibility, retained its influence. In the human body there is an intestine, the survival of a previous stage of development, no longer serving any good purpose, but still serving to generate disease.

Pitt tried to form a broad-bottom ministry of national defence including Fox, another proof that the party system was not his. But Fox the king abhorred, not only as the opponent of the American and the French war, but as the bad angel of the heir. Grenville, Pitt's own Foreign Minister, and the other Whigs refused to join without Fox, though Fox magnanimously left them free. Thus, between the influences of royalty and that of party, the country in its extremity had to put up with a narrow Tory cabinet, in which Pitt and Dundas, now Lord Melville, were the only men of mark. Further to show what party was, Melville, who was doing well at the admiralty, having been guilty of some financial irregularity, was impeached by the opposition for corruption. Through him, faction struck at Pitt. He was rightly acquitted by the Lords, but it was thought necessary to put him out of office. When the motion for impeachment passed the House of Commons by the casting vote of a perplexed Speaker, which, in such a case, ought to have been given in the negative, members of the opposition pressed towards Pitt, down whose usually impassive face tears were flowing, to see how "Billy" would take it; and a circle of friends was formed to screen him



from their malignant gaze. This, when the country was in hourly danger of invasion. As the result of the Melville affair shows, Pitt was no longer supreme master of the House of Commons; his majority was now comparatively small.

To cope with Napoleon, now emperor, and assembling his army on the heights of Boulogne for the invasion of England, Pitt's diplomacy, aided by his money, formed a coalition with Austria and Russia which brought an army fully equal in numbers to that of Napoleon into the field. More he could hardly do. Nor was he to blame for the disaster which followed. He did not sit in the Aulic council. He did not put Mack instead of the Archduke Charles in command, or direct the movement which lost  
1805 the day at Austerlitz. Nor was it his fault that Prussia,  
1806 with mean and purblind selfishness, held aloof, and after-  
wards paid at Jena for her disloyalty to the cause of  
1806 nations. After Austerlitz, it is said, he folded up the  
map of Europe, and died. But despair would hardly  
have killed him had not disease already brought him low. For with the news of Austerlitz had come the news of Trafalgar. The nation's joy at the great victory of her sailors was mingled with deep grief, Nelson, the hero-sailor, having fallen. The sentiment which inspired his last signal was that which had saved the country, and the best of all dying speeches was, "Anchor, Hardy, anchor!" After Trafalgar the island kingdom was safe, and the rage of the enemy beat against it as vainly as the billows beat against its cliffs. Safe also was the trade from which it largely drew the sinews of war. There was no more fear of invasion; the fortification of London might be laid aside, nor were any more Martello towers needed

along the steep. The Danish navy, the last save that of Russia left on the continent, was presently seized by a daring yet well-warranted stroke when it was on the point of being put into the enemy's hands. The British tar had never failed to conquer. Villeneuve at Trafalgar knew his fate when he saw Nelson's two columns bearing down.

By sheer dearth of men, strange when the call for them was so loud, the king was compelled to give way and allow the detested Fox, with Grenville, to form a broad-bottomed administration, combining the Whig leaders and Sheridan with Addington and Windham, which was called the Ministry of all the Talents. Fox, now at the end of his days, at last saw through the character and designs of Bonaparte, reconciled himself to the war, and, as Scott said of him, perhaps with a touch of satire, "a Briton died." This ministry approved its liberalism by carrying the abolition of the slave-trade. But it was soon thrown out by the king on a constitutional question. The ministers proposed to complete the military emancipation of the catholics by admitting them to the higher grades in the army. The king's prejudice was once more aroused, and was played upon, as before, by intriguers. He refused his assent. The ministers put their policy on record in a cabinet minute. The king grasped the opportunity of getting rid of them, called on them for a renunciation, and when they refused compliance, taking their stand on the constitutional principle that ministers could never be debarred from offering any advice which they deemed expedient to the crown, he dismissed them from office.

This stroke of prerogative was about the last piece of

1810 mischief done the country by a strictly moral and pious  
king. The glimmering light which had more than once  
1811 been eclipsed, now expired in final darkness. A regency  
became inevitable. The Regent was a worthless sybarite;  
yet the change, though socially much for the worse, was  
politically rather for the better. Mistresses and mara-  
schino did not much interfere with government, and the  
reckoning for them, though large, was a drop in the  
bucket of public expenditure. It is needless to say that  
the bosom friend of the Whigs did not carry his "predi-  
lections" into the regency; he doffed the Liberal and  
donned the monarch. His perfidy was chastised by the  
satirical pen of the Whig poet laureate, Tom Moore.

The Duke of Portland had never been more than a  
second-rate statesman. He was now decrepit and suffer-  
ing from a painful disease which obliged him to be much  
under the influence of opium. This man, at a moment of  
extreme peril, was allowed to place himself at the head  
1807 of the nation. In two years he resigned and died. Then  
1809 came Perceval, an ultra-Tory and protestant lawyer, a  
1809 staunch opponent of catholic emancipation, marching, as  
Sydney Smith described him, punctually, at the head of  
his tribe of well-washed children, to church, but of thor-  
oughly second-rate capacity. Perceval, having been mur-  
1812 dered by a maniac, was succeeded by Lord Liverpool,  
whose strong point, besides his experience and knowledge  
of business, was that his mediocrity, exciting no jealousy,  
formed a headship under which rival ambitions might  
unite. United under him were the ambitions, intensely  
rival, of Castlereagh and Canning.

Pitt's successors do not seem to have improved much  
1823 on his war administration. The seizure of the Danish



navy, when the government had proof that it was about to be made over to Napoleon, was a laudable act of vigour. But the force of England was expended in distant and ineffective operations, such as the unfortunate expedition to Buenos Ayres. The Walcheren expedition was more of a body-blow, and might have told on the fortunes of the decisive field; but it was put under the incompetent command of the Earl of Chatham. A better field was opened in Spain, and Providence at last sent the government generals, Moore and Wellington, the second of whom had been formed on the Indian field. Moore was undervalued; Wellington, after his victory over Junot in Portugal, was superseded by cautious seniority and robbed of the fruits of his success. Nor, if we may trust the tenor of his letters at the time, does he seem to have been worthily supported or supplied. By the Whig opposition he was persistently run down. Trained officers he always lacked; but, as commissions were obtained by favour or purchase, trained officers the government had none to send.

Failing to invade the sea-girt realm, Napoleon thought of killing its commerce and industry by a vast embargo which he called his continental system. To his Decrees the British Government responded with Orders in Council proclaiming a general blockade. The Americans, as neutral traders and carriers, had been making no small profit out of the war, and had been practically aiding the enemy of England and of Europe. They resented the Orders in Council, and at the same time the impressment of British seamen found on board their vessels and carried off by British captains, who roughly exercised an odious and very disputable right. They, or the War-hawks, as the

war party among them was called, wished also to grasp  
1812 the opportunity of conquering Canada. They declared  
war against England, and another formidable enemy was  
added to the host against which she was about to enter  
the last desperate conflict for her own independence and  
that of all European nations. On land the British con-  
1814 quered, saved Canada and took Washington, though,  
in rashly attacking impregnable defences, they suffered  
a bloody repulse at New Orleans. On their own ele-  
ment they were for some time worsted by an enemy of  
the same race as themselves, whose seamanship and gun-  
nery they at first despised, but found fully equal to their  
own. A fratricidal and fruitless conflict was closed at  
last by a treaty in which no mention was made of either  
of the two ostensible causes of the war. American his-  
torians fancy that this was a second war of independence.  
Had Napoleon, by the help of the Americans, triumphed  
over England and European freedom, would Louisiana  
now be a State of the Union? Might not his insatiate  
ambition have trampled on the Union itself?

From victory to victory, from annexation to annexation,  
Napoleon went on till he had almost made himself emperor  
of the West. He formed for the members of his family a  
set of satrapies, the corruption of which would have been  
like that of the Second Empire or worse, since the Second  
Empire was at least national. Over the kings, with their  
senile councils, spiritless battalions, and routine command-  
ers, he triumphed for the most part with ease. At last he  
roused the nations; first Spain, who, decrepit and almost  
moribund as she was, astonished him by springing to arms  
against his insolent rapine, and, miserably as her un-  
trained peasantry were led, poor as was the stand which

under fatuous commanders they could make against the  
 veteran legions of the conqueror, showed him at least  
 what a national resistance was, and at Saragossa revived 1808  
 the memory of Numantia. Something like national re-  
 sistance he encountered in the campaign of Aspern and 1809  
 Wagram, when Austria, taught by dire experience the  
 value of the moral forces, appealed for the first time to  
 German sentiment and made a better stand against him  
 than she had ever made before. National resistance he  
 encountered, though on a small scale, in Tyrol, and was 1809  
 stung by its achievements to his dastardly murder of  
 Hofer. National resistance he encountered in deserted 1810  
 and burning Moscow and at last when he met uprisen 1812  
 Germany at Leipzig. At length he fell, and the civilized 1813  
 world was free from Corsican domination. Having 1814  
 staked his last conscript on the gambling table and  
 lost, the ruined gambler attempted suicide. Treated on  
 his capture with improvident confidence, and breaking  
 his word as he was sure to do, he was restored for 1814  
 a time to power by his soldiery, amid the general curses 1815  
 of the French people, who would have torn him in pieces  
 on his way to Elba had he not travelled in disguise.  
 He was thus enabled to offer one more holocaust of blood  
 and human suffering to his selfish ambition. Then the  
 world was rid of him, though not of the evil which he 1815  
 wrought. He had consumed in his game human lives  
 unnumbered, besides an enormous amount of the fruits of  
 human labour; and far from conferring on humanity any  
 compensating benefit, had left it a legacy of curses. For  
 to him was due the Holy Alliance; to him the revo-  
 lutionary violence with which, after that temporary  
 triumph of reaction, political progress resumed its march;



to him the monstrous development of the military spirit, and of the system of vast armaments under which Europe now groans; to him the rekindling in France of that rapacious ambition which brought on the war of 1870; to him the crimes, corruption, and villanies of the Second Empire. For this the world worships him. Justice would have dealt with the arch-enemy of his kind as he had dealt with Toussaint-Louverture, Palm, or Hofer. Great Britain was left with six hundred millions of debt contracted in the service of European independence, for which and for the vast sums expended in yearly taxation no indemnity was received.

Europe had been lost by the kings and redeemed by the nations, but the nations had been forced to fight for its redemption under the leadership of the kings. Had the interest of the nations dictated the settlement, France would have been made then, as she was made by the Germans in 1871, to pay for her course of rapine and indemnify the nations which she had robbed, on such a scale as would have sickened her for a time of the game. She would then have been left to establish her own government and regulate her own affairs. But the interest of the kings dictated the restoration of the Bourbon throne, which was raised by their bayonets only to fall again, while nothing effectual was done to secure civilization against French ambition. In a few years French ambition was on its path again. The restoration of the Bourbons, with their reactionary aristocracy and priesthood, speedily provoked the fresh eruption of the revolutionary volcano with all the convulsions which followed, bringing a revival of the Napoleonic Empire and its Corsican policy in their train.

Masters of the legions, the kings were in conclave, resettling Europe after their own mind. Europe for an hour was theirs. With their selfish and feeble policy they had fallen before Napoleon, and most of them at last had kissed his feet, nor when their people rose against his tyranny had they very readily drawn the patriot sword. But for the time they engrossed the fruits of victory. Their guiding principles, as they at first proclaimed, in regulating the world, were to be those of the Gospel; Christian charity, peace, and justice, not less binding on the councils of princes than on private men. This programme was the fancy of Alexander of Russia, at once Emperor of Cossacks and sentimental dupe of a female mystic, Madame Krudener. When it was propounded to the Duke of Wellington, the duke replied that the British parliament would require something more precise. The religious mysticism of Alexander soon gave place in those councils to practical reaction in the person of Metternich, who undertook to make the world stand still. The members of the conclave proceeded to dispose of Europe as though it had been the personal property of kings, cutting and carving as their own interests dictated, handing over the north of Italy to the foreign and hated domination of Austria, forcing alien communities, such as Holland and Belgium, into uncongenial union, and rearranging territory everywhere without regard for the sentiment of nationality or for the wishes of the people. The establishment of a European settlement with a balance of power was the object ostensibly in view. The next care was to extinguish the desire of freedom which the struggle with Napoleon had kindled in the hearts of nations, and to restore absolute monarchy with its con-

genial priesthood. Hopeless in the end the attempt proved. The spirit of liberalism, once awakened, might be repressed, but would not die. To re-enforce it presently came the spirit of reviving nationality, fostered by historical studies and impatient of the stranger's yoke, such as was that of Austria in Italy, and that of Russia in Poland. We come to the opening of a new era.



## CHAPTER VII

### GEORGE IV. AND WILLIAM IV

GEORGE IV. BORN 1762; SUCCEEDED 1820; DIED 1830

WILLIAM IV. BORN 1765; SUCCEEDED 1830; DIED 1837

THE Tories had conducted the struggle with Napoleon. They had won Waterloo, at least Waterloo had been won under them. They were left in possession of the glory and the power. The Whigs were justly discredited by their factious opposition to the war and their unpatriotic sympathy with Napoleon, in whose fall they fell. The prime minister still was Liverpool, the experienced and sure-footed administrator, equal to the business of state and not above it, whose respectable mediocrity was now found useful as a centre of union not only for rival ambitions but for divergent sentiments. For in his cabinet there were both advocates and opponents of Catholic Emancipation; there were men who went thoroughly with the absolutist re-settlement of the continent; and there were men who, though enemies to revolution, were British and friends to the independence of nations.

Of the opponents of Catholic Emancipation and of change of every kind the type and chief was the chancellor, Eldon, a great technical lawyer who cherished the very cobwebs of the old law, and whose hesitations and delays amounted to a denial of justice. In politics Eldon clung not only to catholic disabilities and the unreformed House of

Commons, but to every anomaly and abuse, as a stone which could not be removed without shaking the sacred edifice of the constitution. He clung even to the cruel absurdities of the criminal law. He prided himself upon being the special guardian of the protestant church establishment, on the plethoric revenues and the abuses of which he would not let a profane hand be laid. Being little of a church-goer, he was likened to a buttress supporting the church from without. His orthodoxy was refreshed by copious libations of port. He shared with Addington the fond affection of George III., who, when Eldon was made chancellor, buttoned up the seals in the breast of his coat that he might give them, as he said, from his heart. Addington, the "doctor," was now home secretary under the title of Lord Sidmouth, which gilded, without changing, his mediocrity. Like Eldon, he was a thoroughgoing reactionist, and in all questions between the government and the people a believer in prompt and vigorous repression. Not that he was by nature other than a kind and courteous gentleman, but his medicine for the disease of popular discontent was legal grape-shot administered in good time. With Eldon and Sidmouth at present, though destined memorably to break with them and with reaction in the end, was the young Robert Peel, whose father, a wealthy cotton-spinner, had laid the promise of the youth, shown in Oxford honours, on the altar of Toryism. Perceval had welcomed to office the recruit, who thus gained the advantage of early initiation into public affairs, while by swearing allegiance to a party he forfeited the political independence which, as his mind opened, it became the pathetic struggle of his life to regain.

Castlereagh, foreign minister and leader of the House of Commons, was in European affairs as much of an absolutist as a man not devoid of British spirit could be, and on that account an object of detestation to Liberals. By the people, of whom he did not conceal his scorn, he was so intensely hated that after his tragic death by his own hand his corpse was hooted into its grave. His oratory was almost a jest. But he was a high-bred aristocrat, the pride as well as the type of his order, and a man of undaunted courage. When he rose in the House of Commons, with his lofty bearing and blue ribbon, Tories, we can believe, would forgive broken sentences and false metaphors. On the question of Catholic Emancipation Castlereagh was liberal. He was an Irishman, had taken a leading part in carrying the Union, and being a man of great sense was open to light on the Irish question.

With Castlereagh, rather than with Tories like Eldon or Sidmouth, may be ranked the great soldier whose victory over Napoleon had given him an immense ascendancy, not in his own country only, but in Europe. When Wellington, a few years later, became premier, he was reminded of his saying that if ever he accepted the premiership he would be mad. He had, however, undergone political training, having been Irish secretary in his youth, and in his management of men and affairs in Spain, where he had to deal with the impracticable Junta, he had shown, as his despatches prove, in a very high degree some of the qualities of a statesman. In the councils of Europe his authority was great. Nor was there in him the slightest tendency to military usurpation or sabre sway. Strict allegiance to duty fixed the boun-



dary of his ambition. But military command had been the mould in which the political character of the Iron Duke was cast. The part assigned him, he thought, was that of upholding the king's government and the established institutions in church and state. Beyond this he did not look. The idea of parliamentary and cabinet government had not fully dawned on his mind. To him the government was still the king's government, and he was the servant of the king. From the servility of the courtier, however, he was absolutely free, and while he guarded the crown he could mark and scorn the character of its wearer.

At the head of the more Liberal section of the cabinet was Canning, a brilliant son of Eton and Christchurch, the paragon of classical education, who, having in his youth, it seems, shared the revolutionary fever, had been cured of it partly, like many others, by the excesses of the French revolutionists and completely by an introduction to Pitt. To Pitt, who brought him into parliament and office, he was thenceforth devoted. He was a brilliant and effective speaker; but he had served the Tory party hardly less by his wit as the writer of those pasquinades in the *Anti-Jacobin*, of which "The Needy Knife-Grinder" was the most telling. Though bred at an aristocratic school, adopted by a wealthy uncle, and afterward married to a wealthy wife, he was called an adventurer; his parentage was unhappy and his mother had been on the stage; but in those days every one was an adventurer who went into public life without belonging to the landed gentry, or at least to the class of realized wealth. With more show of reason he was regarded as an intriguer; he was at least restlessly

ambitious and somewhat given to scheming. He had also the faults of a smart political writer. On his smartness in dealing with the Americans, whom, as a young nation, policy bade him treat with studious courtesy, rests partly the responsibility for the American war. The restlessness of his ambition it was that, making him an object of mistrust, had forced the brilliant orator and man of genius to yield the Tory leadership first to the mediocrity of Perceval and then to so lame a speaker as Castlereagh. Having buried his political allegiance in the grave of Pitt, he regarded himself as free to take his own course, and he had begun to see that the times were changing, and to feel the rising gale of Liberalism in his sails. He had quarrelled and had fought a duel with Castlereagh, who had accused him of an intrigue when they were colleagues in the Portland cabinet, but this quarrel had been closed, to the surprise and disgust of some who held that wounds ought never to heal. With Canning was Huskisson, a politician out of the aristocratic pale, the first apostle in parliament, since the young and liberal Pitt, of enlightened economy and free trade; as well as some younger men, of whom Palmerston was destined to become the most famous, and to carry the Canning tradition with him into far-distant times.

Of the Whig circle of Fox, Lord Grey was the leading survivor. Grey had been the steadfast advocate of parliamentary reform. In that cause he had been more zealous and daring than Fox. He remained, nevertheless, an aristocrat in character and bearing, and true, as he said himself, to his order, the privileges of which he seems to have thought could be reconciled with the sover-

eignty of the people. Round him were the representatives of the great Whig houses, such as Russell and Cavendish, which, dead as were the issues between the House of Hanover and the Stuarts, had kept their popular traditions and had been disposed to reform by thirty years of exclusion from power. Grey was an impressive speaker while his pure and lofty character commanded general and deserved respect.

Beyond Whiggism now lay Radicalism, aiming not only, like the Whigs, at reform, but in its extreme sections at least, at changes which would have amounted to a revolution; at annual or triennial parliaments, vote by ballot, payment of representatives, the abolition of the state church, perhaps the abolition of the House of Lords, and even of the monarchy itself. These men had imbibed the teaching of Horne Tooke, of Godwin, and Cobbett in politics; of Jeremy Bentham in jurisprudence; the more refined of them, perhaps, of Byron and Shelley in poetry. Bentham's utilitarianism may be said to have been their prevalent creed. They were the heirs of the Constitutional and Corresponding Societies denounced by Burke, and represented, as far as Englishmen could, the ferment of the French Revolution. This party could not fail to be prolific of demagogues and declaimers such as Orator Hunt, who gave his followers the word to cheer for himself. Cobbett, its chief writer, and the great master of the robust and home-spun style; afterwards found his way into the House of Commons, but too late in life to be there in his element. In the House of Commons the Radicals followed Brougham, a great advocate, a marvellous being, endowed with a superhuman energy which revealed itself in the ever-restless play of his face and



figure, and enabled him, as his secretary said, to go through a week's work with two hours' sleep each night. With amazing talent, though without genius, Brougham aspired to excellence and pre-eminence in all lines, legal, or rather forensic, political, literary, and even scientific. He at once led the bar and the Liberal party in the House of Commons, and was the reformer not only of the constitution and the law, but of education. He was a most voluminous writer, as well as an orator who made a speech six hours long, and he did not want the courage to read a scientific paper before the French Institute. It was said of him by one of the old lawyers, whom he flouted as pedants, and who hated him, that he knew a little of everything, even of law. Joyously he rode the rising storm. His force, his vivacity, his daring, his omniscience, his vanity, his indiscretion, and his levity, made him a great but half-comic figure on the scene. The radical party had a parliamentary precursor in Whitbread, a wealthy brewer, an honest and able man, true to his class and to the people, who fought fearlessly and strenuously through the long night of reaction for popular government and reform. But he had died tragically at the dawn of returning day.

George III., after some years of death in life, at last expired. The regent became king. The debauchee was retiring into sybaritic seclusion. Still, it was necessary to reckon with the crown. Ministers were still constitutionally its servants. Without it parliament could not be called or dissolved. Its consent had to be obtained by cajolery or pressure to great measures of legislative change. To great measures of legislative change royalty was still naturally opposed, all the more since it was

haunted by the spectre, only half laid, of the French Revolution. George IV. had already, as regent, thrown off his Liberalism, which in fact had never been much more than a phase of his youthful dissipation combined with his hatred of his father. In spite of his illicit marriage with a catholic, he had a languid fear of Catholic Emancipation, not on religious grounds, for religion he had none, but because it boded change. He was untruthful enough to believe his own untruths.

Of the House of Commons, now almost the sovereign assembly, the majority, reformers could assert, was elected by less than fifteen thousand persons. Seventy members were returned by thirty-five places, with scarcely any voters at all; ninety members were returned by forty-six places with no more than fifty voters; thirty-seven members were returned by nineteen places with no more than one hundred voters; fifty-two members by twenty-six places with no more than two hundred voters. The local distribution of the representation was flagrantly unfair. Rutland returned as many members as Yorkshire, and Cornwall was a corrupt nest of little boroughs whose vote outweighed that of great and populous districts. At Old Sarum a deserted site, at Gatton an ancient wall, sent two representatives to the House of Commons. Eighty-four men actually nominated one hundred and fifty-seven members for parliament. In addition to these, one hundred and fifty members were returned on the recommendation of seventy patrons, and thus one hundred and fifty-four patrons returned three hundred and seven members, or a majority of the House; so that the legislative power might possibly be controlled by one hundred and fifty-four persons. In Scotland there was

no free representation; the borough franchise there was vested in self-elected town councils, while the county franchise consisted of "superiorities," independent of property or residence, which were bought and sold in the market; so that in one case the candidate called the meeting, proposed, elected, and returned himself. In counties only freeholders voted, copyholders, leaseholders, and tenants-at-will being excluded. In a few boroughs, by old custom, the suffrage was household or nearly universal; but where the constituency was large enough for free voting, corruption was apt to prevail. Seats for nomination boroughs were unblushingly put up to sale, and even so virtuous a man as Sir Samuel Romilly held that there would be absurd scrupulousness in refusing to enter parliament by that gate. A large proportion of the nominations was in the hands of peers, so that the House of Commons was practically much under the control of the House of Lords. The number of contested elections was usually very small, but immense sums, as much sometimes as a hundred thousand pounds, were spent by rival houses in their struggles for the representation of their territorial realms.

Representation had originally been elastic, the crown calling representatives at its discretion from the most important, which were the most taxable boroughs. The prerogative had afterwards been used in the creation of petty boroughs, such as the Cornish group, for the purpose of packing parliament in the interest of the crown. An end having been put to its exercise in the reign of Charles II., the system of representation had been petrified at that point. Thus, the franchise had been completely outgrown by population and new interests,



and the upshot was an oligarchy intrenched in an obsolete system of representation, combining survivals from the middle ages with abuses of the prerogative in later times.

Meantime to the agricultural and commercial England another England, that of manufactures, had been added. By a long line of inventors and improvers in different fields, the cotton, woollen, worsted, iron, and pottery manufactures with their auxiliary industries had been developed. Power, first of water, then of steam, had taken the place of hands. On the wolds, once lonely, of northern England there now swarmed a manufacturing population. Migrating, when coal took the place of charcoal for smelting, from the weald of Kent, the iron industry was making its Black Country in the North Midlands. The factory system, with its mighty interests, with its new relation of capitalist and workman, employer and employed, with its great bodies of artisans, democratic in their tendencies, had come into existence. Commercial wealth, as well as that of the East Indian nabob and the West Indian planter, the landed aristocracy had been able socially to capture and politically to annex. Over the master manufacturer, radically alien to it, and dwelling in a realm of his own, its influence did not extend. Nor was he, like the rich trader, the nabob, or the planter, able or disposed, by buying boroughs, to give his interest a representation in the House of Commons. He now demanded for that interest, and for the new and as yet unenfranchised cities which were its seats, political recognition and admission within the pale of the constitution.

By this time, moreover, had come fully upon the scene three powers which by their combined influence could exercise a not inconsiderable control even over a

parliament of rotten boroughs. These were Association, the Platform, and the Press. The platform and the press raised, while the association embodied and sustained, a volume of public sentiment which even the representative of Gatton or Old Sarum could hardly defy. The newspaper of that day was poor indeed compared with our political press. Its articles were usually written by hacks; its scale was small. Statesmen of the old school saw nothing in it but license. No statesman would have confessed that he was influenced by it, or owned that he was connected with its writers. Its power, however, was born, and it gained considerably by the reporting of parliamentary debates, which subjected the doings of parliament and of every member of parliament to its comments. The platform is by nature an engine fully as much of popular passion as of reason; but the expression even of popular passion might be useful when selfish and sinister interests were dominating under the forms of the constitution.

It was in the field of foreign policy that Liberalism first showed its new life. Canning, thinking his game lost at home, had accepted the governor-generalship of India. He was at Liverpool, ready to embark. He had made a farewell display of his oratoric genius in the famous speech in which he describes the dormant power of England under the figure of one of her battleships sleeping on the water, with furled sails and silent thunders, till war gives the word. Suddenly he was recalled to power by the tragic death of his great rival, Castlereagh. He took Castlereagh's place as foreign minister with a more liberal policy of his own.

Spain, in the absence of her Bourbon king, had given

herself a constitution ultra-republican in fact, monarchical only in name, and she had got rid of her Inquisition. The restored Bourbon, Ferdinand VII., a cruel and perfidious idiot, set himself to restore absolutism, the Inquisition, and the Jesuit. He had with him not only the priesthood, but the ignorant and priest-ridden peasantry. Seeing him likely to be overpowered, the restored Bourbon of France came to his assistance and invaded Spain. Canning could only protest. He alleged the division of parties in Spain, which made it a case of civil war, and the absence of any treaty right of intervention, as his grounds for declining to interfere. In fact, he had no means of coercing a great military power. He and England were compelled to witness the assassination of Spanish liberty and the atrocities by which the victory of a blood-thirsty tyrant and his Jesuits was followed. But Canning had resolved that if the Bourbon must have Spain, it should not be Spain with the Indies. When the native monarchy of Spain was overturned by Napoleon, the Spanish colonies in South America had cut themselves loose from the mother-country, and they were now, after American example, though not with American capacity for self-government, setting themselves up as republics. The Holy Alliance was minded to stretch the arm of its Christian charity across the ocean, and put republicanism down in the western hemisphere as well as in its own. Canning, here strong in England's naval power, interposed, warned off interference, and, as he rather too boastfully said, called the new world into existence to redress the balance of the old. He found a hearty ally in his former enemy, the American Republic. Even Jefferson hailed the concert of Great Britain with America in the cause of humanity,



and Canning has had the credit, partly at least deserved, of fathering the Monroe Doctrine, that manifesto of the new world's chartered immunity from the interference of European powers. When an attempt was made to extend the counter-revolution from Spain to Portugal, Great Britain having in that case something like a treaty right of interference, Canning interposed with the same promptness and vigour which he had shown in the seizure of the Danish fleet, and the Bourbons shrank from the encounter. In the kingdom of Naples, on the other hand, the British minister was compelled to witness a restoration of Bourbon despotism by Austrian arms, and to see liberty thrust into the Bourbon dungeon, though not for ever. Nor could the British people extend to agonizing Poland any aid but that of unsubstantial sympathy or pecuniary contribution. To Greece, rising against the Turkish yoke, and appealing by her classic memories to all imaginations and hearts, they lent not only sympathy but substantial and effective help. It has been remarked that the end of the war turned loose military and naval adventurers who, like De Lacy Evans in the civil war of Spain and Lord Cochrane in the Chilian insurrection against Spain, served and promoted the Liberal cause beyond the field of British diplomacy or arms.

Great Britain, playing her part still as the balancing power of Europe, having thrown herself into the scale of order against revolution, henceforth passed into the scale of liberty and national independence against the despotic and anti-nationalist reaction set on foot by the Holy Alliance. She was not a military power; the policy of the great military powers she could not control. Beyond the range of the guns of her navy her influence

was moral. But her moral influence after her victorious leadership of the nations against Napoleon was great. From the pinnacle to which circumstances had then raised her, above the measure of her actual force, it was difficult to descend.

At home meanwhile, in spite of the great increase of her wealth, she was unhappy. Her people were suffering, malcontent, and disaffected. The waste of a long war, the taxation imposed by a debt of nine hundred millions, the sudden suspension, after the peace, of war expenditure and war industries, the disbanding of soldiers and sailors, combined with the standing evils of a pauperizing Poor Law, the cruel rapacity of employers, especially in mines and factories, and the general neglect of the poor by the rich, to produce a terrible crisis of misery. Bad harvests once more brought dearth of bread. Matters were made worse by speculation crazy enough to send Scotch dairymaids to milk wild cattle in South America and by the failure of a number of banks. Wages fell till the farm labourer and his family had not enough to support life. Men died of hunger after eating wild herbs. Mechanics were working twelve hours for three pence a day. In the mines and factories womanhood and childhood were being ruthlessly sacrificed. Many men were out of work and were wandering in quest of it, while the settlement clause of the Poor Law was driving or carting them back to their own parishes. Even the improvements in machinery, agricultural or textile, the threshing-machine, the spinning-jenny, and the power-loom, as they threw hands out of employment, for the time increased the distress; so that the burning of threshing-machines and the breaking of power-looms,

though unwise as well as illegal, was not without a motive or an excuse. Hence widespread agitation, seditious harangues, wild and fantastic conspiracies, sometimes riots. Hunger was the cause; the cry was for political change; nor was the cry without relation to the cause. The unreformed parliament was the organ of a special and selfish interest, that of the land-owners, who, during the war, having a practical monopoly of the supply of food, had revelled in high rents, and when the war was over, finding their rents fall, had passed Corn Laws to prolong their monopoly by the exclusion of foreign grain. Not only grain was excluded but other farm products. The effect was doubly evil. Great Britain, the continent having been ravaged by Napoleon, stood alone as a manufacturing country, and might have exchanged her manufactures for the food which was the only staple of the other nations, thereby developing her own industries and finding employment for her people, had not protectionism interfered.

The government, however, with its mind still full of the French Revolution, in the writhings and wailings of the starving people could see nothing but political sedition, and thought of no remedy but repression. Even in the speeches of such a man as Canning, who must have had a heart as well as an eye, coercion, not sympathy, is the pervading note. A body of poor sufferers, called from 1817 carrying their blankets strapped on them, the Blanketeers, marched from Manchester to lay their griefs before the government. A great meeting at Peterloo, an open 1819 space in Manchester where now stands the Free Trade Hall, was charged and ridden down by the yeomanry; eleven persons were killed and a large number hurt.



1819 The government, lauding the yeomanry, showed no feeling for the sufferers, and the iron of the Peterloo massacre, as it was called, entered deeply into the soul of the people. Six Acts for the prevention of arming and training, for the repression of public meeting and discussion, for the restriction of the press, and for summary dealing with conspiracy and seditious movements of all kinds, were framed by the home secretary Sidmouth, and enforced with rigour. In their train spies and decoys did not fail to appear. There was fatal enmity and mutual distrust between the government and the people.

Within the ministry, however, one good genius was at work, if not giving immediate relief, preparing for better times to come. This was Huskisson, unaristocratic but thoroughly versed in commerce, finance, and all that concerned the material welfare of the people, a precursor of the Manchester School. By him as far as was possible in a perverse generation and under a reign of landlords, were advanced in all directions sound economical principles, above all the principle of free trade. He considerably relaxed the navigation laws. He tried to restrain the madness of speculation which led to the commercial crisis of 1825. But the grasping desire of growing suddenly rich without labour not even the foresight and wisdom of Huskisson could control. The crisis came. It increased the dangers of the situation and was ascribed by the protectionists to Huskisson's policy of free trade.

Huskisson had the full sympathy of his friend and leader, Canning. He had the sympathy, less full, yet growing, of his younger fellow-worker, Robert Peel, who in 1819, as chairman of the committee on the resumption

of cash payments, underwent his first conversion, and becoming convinced that a depreciated currency was the result of the system of paper pursued since 1797, framed an Act for a return to cash payments, and thus restored the soundness of the currency, the life of trade. 1819

A royal scandal helped to increase the ferment. The Princess of Wales, cast off by her husband, the Regent, had wandered on the continent, and there, not being a woman of refined taste, had, it can scarcely be doubted, fallen into the arms of her courier, Bergami. When her husband became king she claimed recognition as queen and came to England to assert her right. The king forced his ministers to move for a divorce. There was a trial before the House of Lords in which the king's character was not spared, Brougham, the counsel for the queen, comparing him, not obscurely, to Tiberius. Thanks largely to Brougham's power of bullying witnesses, the king's suit practically failed. Popular feeling was thoroughly roused in favour of the queen, or rather against the king, and showed itself in riotous demonstrations. The ill-mated pair had one child, the Princess Charlotte, married to the Belgian Prince Leopold, a girl of spirit, on whom the hopes of the nation, still in sentiment monarchical, were fixed. She died in child-bed amidst universal sorrow, embittered by the thought that the next heir to the throne was then the Duke of Cumberland, a brutal reactionist, and so hated by the people that they could suspect him of a dark crime. 1820 1821

The fear of revolution which was created by disturbance threw parliamentary reform for the present into the background. Catholic Emancipation, with Canning and Plunket for its eloquent champions, was carried in 1821

the Commons, only to be defeated by Eldon in the Lords. Samuel Romilly, a noble servant of humanity, pushed, with slight success, reform of the criminal law in the teeth of Eldon, who did not want the effrontery to allege in favour of the retention of the death penalty for minor offences that it gave the judge opportunities of showing the grace of mercy by remission. Hangings by scores and the condemnation of a boy of ten to death for stealing were enough to move anyone but Eldon. For the Gordon riots three boys under fifteen had been hanged. Juries, unwilling to send a man to the gallows for a trifling fault, acquitted against evidence, and thus excessive penalty bred impunity of crime. The House of Lords, however, threw out Romilly's bill abolishing the death penalty in case of a petty theft, seven bishops voting in the majority.

1827 After being premier fifteen years, Liverpool was struck with paralysis. The two sections of his cabinet, the pro-catholic and the anti-catholic, the reactionary and the more progressive, the Tories and the Conservatives, as we may already call them, naturally fell apart. The question then was whether Wellington, the head of the reactionary section, with Robert Peel still at his side, or Canning, the head of the more progressive section, should form and lead the next government. Here something depended on the king, and the king, a worn-out debauchee, caring for nothing but his ease, was distracted between his political leaning towards the Tories and his fear of Canning. After a farcical vacillation, Canning received the royal command to form a government. The resignation of Wellington, Peel, Eldon, and the rest of that section followed of course, without conspiracy or even



concert. Peel, who as home secretary was responsible for the government of Ireland, could least of all serve under a prime minister opposed to him on the catholic question. The suspicion which a sinister imagination has cast upon him of dishonourable conduct towards his rival is dispelled by a speech of Canning acknowledging Peel's loyalty in the strongest terms. If there was anything like manœuvring in the transaction, it was probably on the part of Canning himself. The new ministry was joined by some of the Whigs. There followed, of course, a breach between Canning and the Tory wing of the party, with angry denunciations of the "seceder" by hot-headed and irresponsible Tories; but Canning's bitterest assailant was the Whig leader, Grey, who not only refused to coalesce, but denounced Canning as a false pretender to the championship of civil and religious liberty, pointing to his share in all the measures of repression and his opposition to the repeal of the Test and Corporation Acts. Canning was so stung that he thought of transferring himself to the House of Lords to answer the attack in person. Death closed the affray. 1827 Canning, febrile by nature and worn out with contention, died. What he would have done had he lived, or how he would have fared, who can say? His pledges to uphold the Test and Corporation Acts and to oppose parliamentary reform were too deep to be renounced, yet, in fulfilling them he must have fallen.

On Canning's death, after a faint attempt to prolong the life of his ministry under the feeble and lacrymose Goderich, the ball rolled back to the Tory and anti-catholic section. Wellington became prime minister, but 1823 at his side was Peel. As Irish secretary, and afterwards

as home secretary, Peel had now displayed his administrative power and shown his tendency, which was always to administrative reform and against organic change. He had also established his power as a debater, in which line he had presently no peer, as his chief opponent thought, and his skill in managing the House, on which it was said at an after day that he could play as on an old fiddle. In knowledge of commerce and finance he had no rival among the political leaders except Huskisson, with whom, in that field, he had rendered the country the highest service by leading it safely back to cash payments. All administrative or legal abuses Peel was prompt and able to reform. As a signal that the door of law reform was opened, Eldon was dropped from the administration. A vigorous policy of retrenchment in the offices of government was set on foot. Improvements were made in police and criminal law. It was thus that Peel hoped to avert organic change. But the need of organic change and the demand for it were now too strong. First fell the Test and Corporation Acts. Their

1828 repeal was moved by Lord John Russell, a scion of the illustrious Whig house the representative of which had fallen a martyr to patriotism by the side of Algernon Sidney under the tyranny of Charles II. To this Wellington and Peel submitted, both of them probably nothing loath; for men of their sense, however attached to the church establishment, could set no value on a law which, its teeth having been drawn by periodical Acts of Indemnity, had become a mere standing insult to a large and worthy section of the community.

In Ireland, after the union, rebellion had sunk to abortive conspiracy. About its last spasm had been the murder

1803

of an unpopular judge in the streets of Dublin. Plunket, once the most eloquent opponent of the union, had, as a member of the united parliament, avowed his conversion to it, and Grattan had sat as member of an English borough and voted for a coercion Bill. But the rent and tithe war still went on. The rent war was intensified by the subdivision of the land into small freeholds, falsely so-called since they were held by sufferance, to multiply vassal votes for the landlord, and by the increase of absenteeism, an evil sure to follow the union, unless the great land-owners would learn, what wealth and leisure seldom learn, the necessity of social duty. In the collection of rents for absentee or unloved landlords, still more of tithes for an alien church, the officers of the law and the law itself were made hateful to the people, and agrarian conspiracy under wild and fantastic forms, such as Whiteboyism, widely prevailed. Hideous atrocities, such as the carding of rent-collectors or tithe-proctors, were committed by a savage peasantry fighting for the land, which was their life. The potato continued to beget low culture, uncertain harvests, periodical famines, and at the same time a reckless increase of population. Not the greatest or the most deeply seated of all the evils, though the most patent, was the exclusion of catholics from parliament and the offices of state, already condemned by Pitt and the best of English statesmen, as well as by reason and justice.

Now there arose for the catholic Celts of Ireland a leader of their own race and after their own heart. Daniel O'Connell, who first made his mark as the prince of advocates in jury cases, was a genuine son of Erin and a devout catholic. He was a man of burly figure, with a



typically Celtic face, a voice so mighty that he could make himself heard by vast multitudes in the open air, a boundless flow of what to peasant ears seemed eloquence, and a thorough mastery of the passionate Irish heart. That the Liberator, as his followers styled him, was a patriot, and earned, at the hands of his countrymen, the lofty monument which rises over his grave at Glasnevin, there can be no doubt. If he was foul-mouthed, untruthful, and somewhat perfidious, if he had in him a strain of the savage, and it could be justly said of him that in any case in which his vanity or his passion was excited you might as well have to deal with an Ashanti chief, this was less his fault than the fault of those who had long oppressed and degraded his race. 'Base,' 'brutal,' and 'bloody' were words familiar to his lips. His violence of language had brought on him a duel in which he by chance killed his man, and a challenge from the hot-blooded Peel, then Irish secretary, whom he had reviled. A great Catholic Association had been formed in Ireland to enforce the catholic claim. On the other hand, in the protestant north of Ireland had been formed for the maintenance of protestant ascendancy the Orange lodges, not aptly named after one who had ever been the politic friend of toleration, though instinct with the spirit that had closed the gates of Derry. Orangism was extended to England; it found its way into the army; it put at its head the hated Duke of Cumberland; it was suspected of designs on the succession to the throne. In the minds of a large part of the British people still lived the memories of Smithfield and Guy Fawkes, still burned the hatred of popery which half a century before had burst forth in the Lord George Gordon riots. The

king's brother, the Duke of York, a debauchee, whose scandalous loves with a harpy had given rise to a parliamentary investigation which forced him to resign the commandership-in-chief and lent some impetus to the reform agitation, registered in the House of Lords a solemn vow that in whatever situation he might be, in other words, if he should succeed his brother on the throne, he never would consent to Catholic Emancipation. His words were printed by the Protestants in letters of gold.

When Canning, a friend of emancipation, became minister, the Catholic Association was dissolved. It was revived under the leadership of O'Connell when in Canning's place came the anti-catholic ministry of Wellington and Peel. Soon it took decisive issue with the government. At the election for the county of Clare Mr. Vesey Fitzgerald was the candidate of the government and the landlords. The peasant freeholders, catholics and Celts, broke away from their landlords, followed their priests, and elected O'Connell, who, being a catholic and unable to take the oaths, could not sit. The order and discipline maintained by the peasantry during the contest were noted by shrewd observers as a proof that the revolutionary feeling was deeply seated. Wellington and Peel, Peel perhaps more distinctly than Wellington, saw that the hour for concession had now come. The great soldier shrank, as he said, from civil war. A few battalions would have easily disposed of any army which the Catholic Association could have put in the field. It was moral and not physical force that failed the government. The better mind of England was now, as Peel must have keenly felt, on the side of emancipation. Winged by

1825

1828

1828

public opinion, even the light arrows of satire shot by Tom Moore and Sydney Smith had told. At the back of the movement in favour of toleration was the force of the general movement in favour of reform. To the Duke of Wellington, little concerned about the number of the sacraments or the identity of anti-Christ, retreat from a position which had been turned presented itself as a strategical operation, though when he was taunted with apostasy, the man of honour was aroused in him and he forced the offender to fight a duel. To the dismay and horror of all high protestant Tories and Orangemen it was announced that a Tory government would grant Catholic Emancipation. Peel, whose conscience was somewhat punctilious, wished to resign, and was prevented only by the earnest entreaty of the duke. He did resign 1829 his seat for the University of Oxford and was defeated on standing for re-election by Sir Robert Inglis, a protestant beyond reproach. Oxford, it should always be remembered, was then not so much a university as a citadel of the established church, and it was not by learning, of which, saving theology, there was little, or by science, of which there was none, but by the wrath of the clergy that Peel was deprived of his seat.

The Bill threw open to catholics parliament and all the great offices except that of regent, that of the lord-lieutenant of Ireland, and that of the chancellor, who appointed to crown livings and kept the conscience of the king. The crown remained limited to the protestant line by the Act of Settlement, which could not have been altered without civil war. To qualify concession and as sops to the opposition, two riders were annexed. By one 1829 the Catholic Association was suppressed; the other took



away the franchise from the forty-shilling freeholder whose electoral insurrection in Clare had decided the day. The act gave the electoral franchise to English catholics from whom hitherto it had been withheld.

Catholic Emancipation, said the shrewd and cynical Melbourne, was a question in which all the clever fellows were on one side, and all the damned fools on the other, and the damned fools were right. Right the fools could not be in upholding gross injustice, while the fear of divided allegiance and political subserviency to a foreign pope, which formed the only rational motive for exclusion, has by experience been almost dispelled. That the result so far as Ireland was concerned was a disappointment, that she remained disaffected, disturbed, in constant need of coercion acts, is too true. Concession had been robbed of its grace by delay and enforcement; granted by Pitt it would have been welcomed as a boon, and would have knit the heart of Ireland to the union. After all, it was not full, since the state church of the protestant minority continued to wring its tithes from the catholic people. But, above all, the statesmen of that day were mistaken in thinking that in the religious disabilities lay the chief seat of the malady, and that religious emancipation would, therefore, be a sovereign cure. The chief seat of the malady lay, as the sequel clearly showed, not in the religious disabilities, but in the tenure of land, and in the relations between landlord and tenant, bad in themselves, and embittered by the vengeful memories of a disinherited race. In their misery and hopelessness the peasantry multiplied recklessly, fearfully over-peopled the country and overflowed into England, lowering the wages and the condition of the labourer

there. In Scotland, at the time of the union, there was no question like the Irish land question; respect for the Scotch religion, therefore, sufficed. Concurrent endowment of the two churches, the catholic and the protestant, might, as some thought, have bound the catholic priesthood to the support of government and order. Some project of that kind seems to have suggested itself to Pitt. But the consent of English and Scotch protestantism could hardly have been obtained to the endowment of the church of anti-Christ.

All the more because it had incurred among its party the reproach of weakness by yielding to the repeal of the Test Act and of apostasy by its conversion on the catholic question, did the Tory government set its face as a flint against parliamentary reform. There was yet time for a moderate measure of concession which would probably have averted sweeping change. But Wellington closed that door by declaring, in the House of Lords, that the constitution was humanly speaking incapable of improvement, and that he would be no party to the slightest alteration. It is probable that he was carried further than he meant to go. Master of the eddies of battle, he was not so complete a master of the drift of his own speech. Surprised at the extraordinary impression which he at once saw that his words had made, he, as he sat down, asked a colleague at his side what he could have said to create such a sensation, and was answered with a gesture and an ejaculation of dismay. He was, however, inflexible, if not blind. A second retreat was too much. Huskisson, the friend of Canning, and half a Liberal, had, with some other friends of Canning, passed  
1828 into the Tory government. It was moved as a mild

measure of reform to transfer the franchise from East Retford, a borough convicted of corruption, to the great manufacturing city of Birmingham. The question was declared open by the government. But Huskisson, having voted for the Bill, and finding himself opposed to his leader, weakly put his resignation in the duke's hand, not meaning it to be accepted. The iron hand closed upon it; Huskisson was dropped from the cabinet; with him 1828 departed the other Canningites, and the last hope of concession. So it is that systems, when worn out and condemned, prefer, as it appears, death to reform. In truth, the owners of a rotten-borough parliament, with all its power and patronage, might not without reason think that for them reform was death.

By accepting the repeal of the Test Act the government had estranged churchmen. By granting Catholic Emancipation it had estranged protestants. By its retrenchments it had estranged those whose salaries it had retrenched. To wreak their vengeance the malcontents allied themselves with the opposition, and the last Tory government fell. The tide of general agitation was, by this time, running high, and in the heart of the suffering classes there had sprung up a passionate hope of deliverance by political change. The country was full of ferment and of political clubs which were at last united in a national association. In the more intellectual classes political and social speculation had awakened from the trance into which the struggle with Napoleon had thrown it. On the continent revolution had rolled away the stone which the Holy Alliance had laid upon its sepulchre, and had recommenced its march by overturning the reactionary monarchy of the absolutist



Bourbons in France, and substituting the citizen monarchy of Louis Philippe, the son of Égalité. England felt the contagion; nor was she this time repelled by Jacobin crimes. Her own crown had passed from the sybarite Tory, George IV., to the sailor, William IV., a man of homely character, and inclined to play the popular king.

## CHAPTER VIII

### PARLIAMENTARY REFORM

THE hour had struck, and Grey, with his Whig following, came in to carry parliamentary reform. Reforming the government was, but it was still aristocratic. Tradition and the chances of political war together had done for the British aristocracy what the deepest policy might have dictated, dividing it between the political parties, giving it the leadership of both, and putting progress under its control. Whig magnates were lords of pocket-boroughs which they sacrificed to the country and their party. Democracy was represented in the cabinet, if at all, by Brougham the chancellor, who with all his volatility and violence, proved in the end no untamable patriot. The leader in the Commons was Lord Althorp, the chancellor of the exchequer, an excellent man of business, noted and trusted as a paragon of downright honesty, all the more perhaps because he was somewhat bovine and lacked the gift of speech. Lord Durham, Grey's son-in-law, wayward and overflattered, showed how an aristocrat might throw himself into a popular cause, court the people, and be a high aristocrat still. Palmerston and other followers of Canning joined the government, though Canning had been a sworn opponent of parliamentary reform. They adhered to their master's general liberalism without the particular and almost unaccountable exception.

1831 On the memorable 1st of March, 1831, the Reform Bill was brought in by Lord John Russell, chosen for that honour, though he was not in the cabinet, on account of his devotion to the cause, in which he had already moved, and his historic name. It was a drastic measure, and to Tories sounded like the knell of doom. Grey was no revolutionist, but he thought that to be final, his measure must be complete. In England the Bill made a clean sweep of the rotten boroughs; deprived a number of petty boroughs of one member; gave representation to Manchester, Leeds, Birmingham, and other large towns and metropolitan districts; gave a large additional representation to the counties; in the counties gave copyholders and leaseholders as well as freeholders votes; for the towns established a uniform ten-pound household suffrage, abolishing the more extended suffrage in the few boroughs in which by custom it had prevailed. Corporations were deprived of their electoral monopoly.

On Scotland, in place of representation by superiorities or corporations, elective representation, nearly on the same scale as that of England, was bestowed. In Ireland the boroughs were taken from the close corporations and given with the same qualifications as in England to the citizens at large.

1831 There followed, inside and outside parliament, an immense debate, in which every tongue and pen was called into play. Outside parliament, reform had its thundering organ in the *Times*, which founded a power destined largely to sway opinion down to our own day. In argument, reform easily swept the field. Who could devise a rational defence of the representation of a mound or an old wall; the return of ninety members by forty-six places,



with less than fifty voters each; the nomination of one hundred and fifty-seven members by eighty-four men; the election of the majority of the House by fifteen thousand out of three million male adults; the exclusion of copyholders and leaseholders; or the existence of the beggarly and corrupt nest of Cornish boroughs? Who could plausibly maintain that the manufacturing interest ought to be denied its share of political power? The Tories pointed to the number of eminent men who, through the nomination boroughs, had found entrance to public life. There was force in the argument where the patron was generous and allowed his nominee to be independent; but nominees generally were bound to go with their patrons, while for one young Pitt or Canning there were nominated a dozen mere retainers and agents of private designs. It was alleged that all great interests were practically represented. The manufacturing interest, whose seats were new-born cities, was hardly represented at all, while the overwhelming preponderance of the landlord interest was attested by corn laws, game laws, and laws of every kind framed for the benefit of the land-owner. Gross anomaly, had there been nothing more, would have called for reform, since it deprived the constitution of respect.

The only real defence, or rather the plea for caution and forecast, was that on which the Duke of Wellington touched when he asked how, with a House of Commons elected on democratic principles, the king's government was to be carried on. The House of Commons was no longer the mere representation of the people, one of two co-ordinate branches of the legislature, and subject to the supreme authority of the crown. It had drawn to it the sovereign power, executive as well as legislative, since

the ministers were the creatures of its choice. How sovereign power was to be wisely and safely exercised by an assembly of six hundred and fifty-eight men elected by popular suffrage, was a problem to which in these great debates attention was not sufficiently directed, and which still remains unsolved. Popular representation may give expression to the will of the people, though distorted by the passions, the corruption, the trickery, and the various accidents of elections; but what is wanted is government, not by will, but by the reason of the community, the ascendancy of which popular representation without safeguards can hardly be trusted to secure.

In the parliamentary debates Lord Grey is dignified and impressive, he speaks with the weight of age and long devotion to the cause of reform. To the Lords he speaks as one of their own order with which he stands or falls. Macaulay is lucid and very brilliant in exposition of a clear case. But, on the whole, the debates are somewhat disappointing to one who looks in them for great lessons of statesmanship. There will hardly be found in the speeches of the framers a distinct forecast of the practical effects of their measure, or a clear idea of the polity which they expected and intended to produce. They seem scarcely to be aware that they are profoundly altering the practical constitution. Nor do they dwell, as might have been expected, on that necessity of admitting the newly-born interest to a share of political power which was not the least obvious or the least pressing reason for the change. The speeches on the other side were either carping attacks on the special provisions of the Bill, or vague declamations against democracy and predictions of revolution and ruin. Some attempted to

misapply the principles of private property to the franchises and charters of the rotten boroughs, and contended that to justify forfeiture delinquency must be proved; as though power intrusted by the state for a public purpose could not by the same authority be resumed. The delinquency was proved by the record of misgovernment. As in early days the crown had chosen at its discretion from time to time the boroughs to be represented in the House of Commons, the wisdom of our ancestors was really on the side of free selection. The defenders of rotten boroughs of course vowed that, though opposed to the plan before them, they were not enemies to all reform. Why had they resisted the transfer of the franchise from East Retford to Birmingham? Croker and Wetherell, who did most of the fighting on that side, were mere mouthpieces of prejudice or of the vested interests of abuse and corruption. In their criticism there is nothing statesmanlike or instructive.

Peel was fettered by Wellington's fatal declaration and by his party ties. Had he been free, it may be surmised that instead of opposing the measure he would have accepted it with a good grace and amended it in the conservative sense, as, with the forces at his command, the House of Lords being entirely with him, he might certainly have done. His large mind could not possibly share the reactionary fanaticism of Croker and Wetherell or have been deluded by the sophistries of chartered right. His speeches are wanting in elevation and breadth. His own apology for hopeless resistance is its salutary impressiveness as a lesson against light tampering with the constitution. This is the weakest part of his career.

In temper the debates did no dishonour to the political



character of the country. Considering the vast interests, personal as well as public, which were at stake, and the passions which were called into play, there was little of violence or disorder. Once or twice, at trying moments, self-control gave way. Once, to prevent a duel, it was necessary to give two members into the custody of the serjeant-at-arms. O'Connell's tendency to vituperation could not be altogether suppressed. But, on the whole, the spirit of men of sense and of English gentlemen prevailed, and parliamentary decorum was preserved. It was a good omen of future re-union and patriotic co-operation under the altered constitution.

1831 The Reform Bill passed its second reading in the House of Commons by three hundred and two to three hundred and one, a majority of one. Even with that unreformed parliament the voice of public opinion which called upon it to put an end to its own existence had been powerful enough to prevail. But the measure met with defeat in committee on a motion against the proposed diminution of the existing number of representatives for England and Wales.

1831 An appeal to the country followed. With some difficulty the king, whose fears had by this time been excited, was induced to dissolve parliament. It appears that a protest of the Tories against dissolution, which seemed to him to touch his prerogative, at last decided his consent. Scenes of extreme excitement were being enacted in both Houses when he came down to the House of Lords and summoned the Commons to the bar. The sound of the cannon which announced his coming was the death-knell  
1831 of oligarchic government. In the election, reform everywhere swept the free constituencies and sent the govern-

ment back with its numbers overwhelmingly increased. The Bill was now carried in the House of Commons by three hundred and sixty-seven to two hundred and thirty-one, a majority of one hundred and thirty-six. From the Commons it passed to the Lords. Had the Lords been wise and known their hour they might in all probability still have secured important amendments in their own favour. Not being wise or knowing their hour, they threw out the Bill by one hundred and ninety-nine to one hundred and fifty-eight, a majority of forty-one. It was remarked that of those who voted against the Bill most were peers not of old creation but of new. The Commons, voting confidence in the government by a great majority, brought their House into direct collision with the Lords.

The country was in a state of excitement verging on civil war. The Bill, the whole Bill, and nothing but the Bill was the cry. Language, threatening not only to the House of Lords but to hereditary monarchy, was held. In England, as in France, the bishops and clergy, suspected as the black soldiery of reaction, were the special objects of popular hatred. The National Union threatened to stop the payment of taxes. Riot broke out in several places, Wellington's windows were smashed, and the iron shutters of Apsley House long remained the duke's mute appeal against popular ingratitude. The scene of the most violent outbreak was Bristol, where the mob sacked and burned the Mansion House, the bishop's palace, and a number of private houses; while authority, civil and military, paralyzed by the dominant spirit of revolution, looked on helplessly at the havoc. Still the Lords held out in spite of the electric appeals of

Brougham, though he literally conjured them on his knees. That thunderbolt of debate found a doughty opponent in Lyndhurst, who, once a radical in sentiment, and still a radical in temperament, having taken the Tory shilling, boldly, unscrupulously, and effectively served that cause. Eldon could only wail.

The Bill, having again passed the Commons by a great majority, was allowed to pass its second reading in the Lords House, but was killed by a hostile motion in committee. The ministers then applied to the king for leave to overcome the opposition of the Lords by a swamping creation of peers, like that which had carried the Treaty of Utrecht, but on a larger scale. The king  
1832 demurring, the ministers resigned. The king then called on the Tories to form a government and frame a Reform Bill of their own. Wellington, ever loyal, deemed it his duty to his sovereign to throw himself into the breach. "Run for gold and stop the duke" was then the cry. But Peel's wisdom prevailed. The Whig ministers returned to office with their royal master's permission to create  
1832 peers. The peers then surrendered and allowed the Bill to pass in a thin House. They had done the worst they could for themselves by obstinately holding out, instead of coming to terms, and at last giving way to a threat. Thus the great oligarchy passed to its long account in history. Immense rejoicings followed. The light of hope had dawned on the cottage. Machine-breaking and rick-burning ceased. The golden age had begun.

The general election which ensued gave an overwhelming majority to the reformers, though rather to the Whigs than to the Radicals, whose comparative disappointment showed that the excitement was already abating.



The number of six hundred and fifty-eight members for England and Wales, which the first Bill had reduced, was in the last restored. A further respite was given to the abuse of the freemen's vote in boroughs. The county franchise was extended to fifty-pound tenants-at-will, otherwise the Bill, after its stormy course, passed nearly in its original form. The net result for England and Wales was the disfranchisement of fifty-six nomination boroughs; the withdrawal from thirty boroughs of one member each, and from Weymouth and Melcombe Regis of two out of their four; the grant of a member apiece to twenty-two large towns or metropolitan districts, including the great manufacturing towns of Manchester, Birmingham, and Leeds, and of one member apiece to twenty smaller towns; an increase of the number of county members from ninety-four to one hundred and fifty-nine; a ten-pound franchise for the boroughs; while in the county constituencies to the forty-shilling freeholders were added copyholders, leaseholders for terms of years, and tenants-at-will paying a rent of fifty pounds. In Scotland the result was a county constituency of ten-pound property holders and some classes of leaseholders; a borough constituency like the English, of ten-pound householders practically elective in place of nomination. In Ireland the union had done the work of disfranchisement. But the ten-pound household franchise was extended to the boroughs. Both in Scotland and in Ireland the number of members was slightly increased beyond the union settlement; an indication that the union was regarded, not as an unalterable compact, but as a fusion of two nations into one with united powers of self-organization, though with ancient boundaries, political,

legal, and ecclesiastical, which it was still necessary to respect.

The amendment extending the franchise to fifty-pound tenants-at-will, called from the mover, Lord Chandos, heir of the Duke of Buckingham, was of the highest importance. The tenant farmers, to whom it gave votes, were under the influence of the landlord, and their interest was bound up with his. This was the one great Tory victory, and it won back for the land-owning aristocracy and gentry, with the seats for the counties, not a little of the political power which, by the Bill as originally framed, they would have lost.

To lessen the abuses, expenses, and riot of elections, the Act introduced regular registration, improved the arrangements for polling, and reduced the number of polling days from fifteen to two. An improvement was afterwards made in the constitution of committees for the trial of election petitions, with a view of checking the corruption of which the small free boroughs were the chief seats. But corruption is protean in its forms. Bribery at elections is expelled, only to give place to bribery between elections. Where public principle is weak, ambition and cupidity will find a way.

Here the tide of parliamentary reform was stayed. Radicals made attempts to go further; to extend the franchise yet more widely; to shorten the duration of parliaments; to introduce the ballot, a name of revolutionary terror in those days; but in vain. Whiggism showed its aristocratic and conservative side, and it received the loyal support of the leader of the Tory opposition in its resistance to democratic innovation. The borough-mongering oligarchy had fallen; a large

share of political power had been transferred to the middle class; the manufacturing interest had been admitted to its place in the representation; these were the grand results. The working classes, both in town and country, most completely in the country, were still left outside the political pale. From them had been taken, by the abolition of the popular suffrage, which in a few boroughs had by custom prevailed, such representation as they had. The Whigs had better have sacrificed symmetry, and left scot-and-lot and potwallers alone.

The peers had been deprived of their nomination boroughs, and with them of much of their influence over the popular House. The Duke of Norfolk had lost his eleven members, Lord Lonsdale his nine, Lord Darlington his seven, the Duke of Rutland, the Marquis of Buckingham, and Lord Carrington each of them his six. Still the Lords had many sons and nephews in the Commons. As a House they had undergone coercion on the demand of the Commons, and could no longer be deemed a co-ordinate branch of the legislature. On questions of first-rate magnitude no more was left them than a suspensive veto. On secondary questions their power of obstruction remained the same, and continued to be exercised almost as freely as before. They were still a House of hereditary land-owners, unfit in that respect for the impartial revision of legislation, especially when it affected the landed interest. What is called parliamentary reform had been reform only of the House of Commons, and of that only by extension of the franchise. Statesmanship would perhaps have prescribed a simultaneous re-organization of the two Houses so as to keep them in unison with each other and preserve the



balance of the constitution. But a comprehensive revision of the constitution is an idea which has never been entertained, and which, while the predominance of party continues, it would be hopeless to entertain. Loud cries which, when the lords threw out the Reform Bill, had been raised for the abolition of a hereditary peerage, died away when the Bill had passed. The people had gained their substantial object and they are not easily moved to theoretic innovation.

The working classes generally had welcomed the Bill, thinking it would bring relief to their sufferings, while the more democratic among them hoped that the ball of political change, once set rolling, would roll on: They, however, did not fail to see that this was a middle-class measure, or to give vent to their class jealousy and distrust. Hence presently arose Chartism, the agitation for the people's charter, the six points of which were universal suffrage, vote by ballot, annual parliaments, payment of representatives, equal electoral districts, and abolition of property qualification. Chartism, however, fell into bad hands, allied itself with protectionism, and after signing monster petitions and leading to some outbreaks of violence went to its grave. Socialism as yet had hardly reared its head in the political field. Its prophet was the visionary Owen. Francis Place, the arch-Radical, though an extremist in political reform, was not a socialist. Individual liberty and political equality were his creed. He supported a Poor Law Amendment Bill framed on strictly economic lines.

The crown also had succumbed in regard to the matter of the creation of peers, to which the king manifestly consented against his will. It lost by whatever increased

the authority of the Commons as the representation of the people. Nor were representatives of the people so likely to become courtiers and "king's friends" as the wealthy purchasers of nomination boroughs.

Croker, when the Reform Bill had passed, left the House of Commons, saying that it was no longer a place for a gentleman. It was no longer a place exclusively for the landed gentry with their social recruits from commerce and their borough nominees. The manufacturer had found his way there, though as yet on a small scale. So had popular leaders, demagogues the gentry called them, such as Cobbett, the sledge-hammer pamphleteer, and Hume, the rude apostle of retrenchment. One man had found his way there who had been a prize-fighter, perhaps not more-disreputable than his backers. Yet it was still a House of landed gentlemen. They had regained, or were soon to regain, the counties; the tenants-at-will, enfranchised under the Chandos clause, everywhere voting with the landlord. They had influence over the rural boroughs, and they had still the spell of rank and social position, powerful with the middle classes even in a party election. The really democratic element in the new House was very small. It was unrepresented in the cabinet, of the fourteen members of which eleven bore the title of Lord, one that of Baronet. Grey could say that he never read the newspapers. The House was still governed by the gentleman's sentiment and manners. Latin quotations were still in fashion. The unclassical Hume, to conform to that fashion, called omnibuses *omnibi*. The commercial policy of the country, so far as it affected the land-owners' rents, remained protectionist, and he was a Whig statesman who denounced as madness

the proposal to repeal the Corn Laws. The class, or combination of classes, educated at the two great universities remained in fact the predominant influence, the standard of public principle, the practical motor of the political machine. Against the inroad of extreme democracy upon the House of Commons the non-payment of members was the surest safeguard. To remove this no serious attempt was made. On the other hand, the theory that the member is the mere delegate and mouth-piece of his constituency, against which Burke had nobly protested, had made way, and may be regarded as a detraction from the power of the House of Commons. At a meeting of the liverymen of London it was resolved that "for one man to represent another means that he is to act for that other and in a manner agreeably to his wishes and instructions, and that members chosen to be representatives in parliament ought to do such things as their constituents wish and direct them to do." Strictly construed, this would mean that the representative was a messenger and that the only citizens who were to have no opinion or voice of their own were those who formed the great council of the nation.

To this period of legislative change perhaps may be traced the idea, now prevalent, that legislative change is a normal function of a government, and that a government which allows a session to pass without some measure of innovation betrays unworthiness to rule.

In the party system of government there had been a break during the early autocracy of Pitt. The French Revolution had once more drawn the party lines, yet they had been disregarded under the pressure of public danger in the formation of the Grenville administration. By the



Reform struggle they were again sharply drawn, though on both sides there were marked shades of difference among the sections of which the parties were composed.

In the reform of abuse so flagrant, and, with revolution abroad in Europe, so plainly dangerous, men by interest and character conservative had in great numbers taken part. These men might with literal truth say that they were for the Bill, the whole Bill, and nothing but the Bill. From the first sign of general change they recoiled, though that sign was nothing more revolutionary than a proposal to devote a part of the worse than useless wealth of the Irish hierarchy to the purposes of national education. Upon that question the Whig government was deserted by Mr. Stanley and Sir James Graham, the first of whom soon turned the fire of his rhetoric, which was very hot, on his old friends.

After this defection, the tide of reaction was so evidently rising that the king, now cured of his brief fancy for popularity, and sensible that royalty was his trade, ventured on a stroke of personal government, destined probably to be the last of its kind, and to prove by its failure that the ministry now was the ministry of the Commons, not of the king.

Grey, old, weary, being, by an indiscretion of his Irish secretary, Littleton, embroiled with O'Connell, and having thereby lost Lord Althorp, whose character was the mainstay of the government in the Commons, had resigned. He had been succeeded in the premiership by 1834  
Lord Melbourne, an easy-going man of the world, sagacious though not brilliant, little troubled with convictions, and affecting to be less troubled by them than he was. The indispensable Althorp, after return-

ing to the chancellorship of the exchequer, was by the death of his father, Lord Spencer, transferred from the Commons to the Lords, and thus practically killed as an effective statesman. The weakening of the government in the Commons gave the king a pretext, though not a constitutional ground, for dismissing his ministers and putting the premiership in the hands of the Duke of Wellington, by whom it was passed to Peel. Peel, looking for no crisis, was then in Italy. Had he been on the spot it is probable that his caution would have condemned the venture as premature. As it was, his sense of duty to his sovereign prevailed. He went to the country and, thanks largely to the operation of the Chandos clause, came back with a gain of seats which showed that reaction had set in. In England he had a decided majority, but Scotland and Ireland turned the scale. Beaten on the Speakership, he yet continued to hold office for three months, during which his main objects, the reconciliation of his party with the new order of things and the promulgation of its amended programme, had been gained. He definitively accepted for himself and his followers the settlement of the Reform Bill. He opened an attractive budget of practical reform, including commutation of tithe, reform of the ecclesiastical courts, a measure for legalizing the marriages of dissenters, an inquiry into church revenues with a view to their better distribution, and a promise of municipal reform. He re-baptized his party, which thenceforth was not Tory, but Conservative. He took up for it a new position as the party of practical improvement opposed to political innovation. To be leader of such a party no one was better fitted than himself. Heir of a great

manufacturer and great land-owner, thus representing both the interests, early trained in office, thoroughly master of the public business, especially in the department, now so important, of finance and trade, a first-rate debater and a skilful manager of the House of Commons, courageous yet cautious and patient, thoroughly conservative yet an open-minded reader of his times, Robert Peel seemed sent to his party by its good genius to steer it through the inevitable transition, regain for it the confidence of the nation, and guide it back to power. He was not without his weak points. His failings were a shyness, strange in one who swayed a great public assembly, which impaired his personal influence, and made him sometimes close when he had better have been communicative; an excess of caution, the result of critical positions as well as of a youth passed in office; and an over-sensitiveness about his own character which betrayed itself not only in unnecessary vindications, but, as his temper was hot though generally under strict control, led him to challenge more than one assailant to a duel. Nor was he equally popular with all sections of the party. Stiff old Tories of the Eldonian school might still withhold their confidence. Aristocracy might not quite forget that Peel was a cotton-spinner's son. Yet the mass of Conservatives saw the value of their leader and when upon the passing of a resolution in favour of the secularization of part of the surplus revenues of the Irish church he announced his resignation to the House, the cheers of 1835 sympathy, not from his own side alone, amidst which he sat down were morally the voice of victory.



## CHAPTER IX

### THE FRUITS OF PARLIAMENTARY REFORM

1834 **T**HE Melbourne Ministry was now restored to office, but hardly to power. The Whigs, its only assured following, were outnumbered in the House of Commons by the opposition consisting of Tories and Conservatives. For its majority it was dependent partly on the Radicals, who lent it a cold, uncertain, and somewhat contemptuous support ; partly on O'Connell and his "tail," whose support was not only uncertain, especially on Irish questions, but highly compromising in British and protestant eyes, so that the alliance with him, nicknamed the Lichfield House Compact, was morally a heavy drag on the government. A precarious union was enforced among these sections by the formidable force of the common enemy, whose return to power would have been fatal to them all. The Prime Minister, shelved in the House of Lords, could do little more than show his good temper and discretion in the leadership of a hopeless minority. Liberal in creed, but Conservative in grain, in all things a sceptic, not having sought the premiership, but liking it when events had wafted him into it, he wanted no more change than was needful for the filling of his part as the Reform premier and would gladly have put off all change to the morrow. Brougham had been excluded from the reconstructed cabinet by indiscretions and escapades which

passed all bounds ; he had played most fantastic tricks in a tour of vanity through Scotland. Fortunately, however, for his former colleagues his electricity at first found vent in combats with Lyndhurst rather than in vengeful attacks on the administration. The leader in the House of Commons, the soul of the government in home affairs, was Lord John Russell, who for the present proclaimed the finality of his Reform Bill, though he was in the sequel fain once more to woo for his flagging sails the breeze which had first borne him into power. Lord John was a good tactician, but no match for Peel, whose ascendancy in the House had now been completely established. With a powerful minority in the Commons and a Tory House of Lords, Peel had a veto on legislation. His own tendency and policy were not obstruction but moderation. In practical reform he would probably have been willing to go further had he not been checked by the Tory section of his party in the House of Commons and by the Toryism of the House of Lords. Over the Toryism of the House of Lords he maintained a somewhat precarious control through the Duke of Wellington, who, though opposed to change, was a practical strategist and generally recognized in Peel the commander-in-chief of the party. Peel's ambition was very cautious, and he had no intention of precipitating the fall of the Whig government that he might go on another forlorn hope.

Bound up with reform of parliament and sure to attend it, was municipal reform. The close corporations had in fact been the chief organs of electoral abuse and corruption. Commissioners of inquiry to prepare complex subjects for parliament were becoming instruments of government. A commission of inquiry into the state

of the municipal corporations reported that there was crying need of reform. Under cover of antiquated charters self-elected municipalities had become gangs of public thieves, misgoverning the towns, stealing the corporate property, abusing it for political purposes or wasting it in revelry, jobbing the appointments, and selling the parliamentary representation, sometimes for a regular sum. The basis of the city constituency, instead of tax-paying, was the freedom of the city, a relic of the commercial middle ages, now a figment and a cover for abuse. There were cities in which only a trifling minority of the ratepayers were members of the corporation. A city council might be made up of a borough-mongering magnate, two members of his family, three or four of his dependents, and an officer of the corporation. Of the charitable funds three-fourths or more might go to the Blue party. The judicial powers of the corporations, owing to medieval accident, varied absurdly, and were often vested in untrustworthy hands. Peel and Wellington consented, Peel no doubt most willingly, to reform.

1835 Elective government on a ratepaying basis was given to all boroughs, including cities such as Manchester and Birmingham hitherto unincorporated, and to such as might thereafter apply for it. The charitable funds and the judicial power were respectively placed in trustworthy hands. The city of London alone by its grandeur repelled reform and retained its ancient government, its Gog and Magog, the pomp and banquets of its Mansion House, and those sumptuous survivals of medieval trade, its guilds, with their vast wealth and its then equivocal application. The Tory Lords would gladly have thrown out the Bill; they entered, in fact, on what would have been



an endless course of delay ; but, discountenanced by their chiefs, they ventured only to mutilate by respiting here again the evil privileges of the freemen and by other reactionary amendments. Their conduct throughout this period is marked, it must be said, by blind and factious opposition utterly unlike the prudent afterthought which is the supposed function of their House.

In passing the Municipal Reform Act, its authors 1835 thought that they were not only purifying municipal government, but studding the country with little commonwealths, to be the schools of good and active citizens. A borough in the middle ages was indeed a little commonwealth, political as well as commercial, asserting its liberties against king, lord, or abbot. It was ruled by its chief merchants, who lived in the heart of it, mingling constantly with their fellow-citizens. The main duty of its rulers, besides the defence of its liberties, was the regulation of its handicrafts and trades. The modern problems of city administration were then almost unknown. The police were the citizens, called to arms at need. Public works were done by common labour. Sanitary regulations were unborn ; the street was the sewer. The only school was the monastic or charitable foundation. The almshouse and private alms provided for the poor. A great city in these days needs an administrative and not a political organization. Its leading men usually live apart from the masses, and have not time to spare from their own business for the work, now serious, of city management. The citizens do not know each other and have no means of combining for the selection of city officers. Hence the ward politician, whose reign over American cities warns the world.

Great expectations had been raised of the lightening of the public burdens by the reduction of expenditure in the offices of government and the establishments which was to follow the reform of parliament. Retrenchment found an indefatigable, pertinacious, and most unsentimental advocate in the Radical member of parliament, Joseph Hume. But it turned out that the administration of Wellington and Peel, in its effort to lighten the ship on the approach of the political tempest, had pretty well made jettison of everything that could be spared. Some scandalous sinecures and pensions, products of the oligarchy, remained; but vested rights protected them during the lives of their holders. The army and navy were, up to a certain point, fixed charges so long as Europe remained in arms. Nor, considering the responsibilities of ministers and the social position which they had to maintain, were the offices of state by any means overpaid. The salaries of English judges were and still are large; but the money is well spent in placing on the bench men who have full command over their courts and can make justice swift as well as respectable and sure. That underpayment of public servants and judges is false economy America has good reason to know.

The bishops had voted against the Reform Bill, which, unluckily for them, had been defeated by the exact number of their votes. Scanting restriction of clerical privilege, the clergy had everywhere opposed political reform. The anger of the people had been kindled against them, so that it was hardly safe for a bishop to walk the streets in the dress of his order. Nor was the church in a state to repel rude treatment by her command of popu-

lar respect and affection. Methodism, which she cast out; evangelicism, on which she frowned; and growing peril, had done something to awaken her to her duties. Still the vices of a rich establishment prevailed. Sinecurism and pluralism abounded. It is found that under the primacy of good Archbishop Sutton, seven Suttons shared among them sixteen rectories, vicarages, and chapelries, besides preachings and dignities in cathedrals; while one of his daughters carried as her marriage portion to her husband eight different preferments, valued together at ten thousand pounds, in the course of as many years. The nepotism of Tomline, Pitt's tutor, had been conspicuous. The inequalities of income and the disparities between the work and the payment were still intense. Patrons of livings treated the cure of souls as provision for the younger members of their family, or sold it in market overt. Hunting parsons were still common. The poor in many districts were neglected and abandoned to heathendom and vice. The churches themselves were often in a slovenly condition. At the same time the privileges of the state church were odious, and made every nonconformist her enemy. Grey had warned the bishops to set their house in order. The Radicals would have set it in order with a vengeance, and strong measures would have been welcomed by the people. But the Whigs, though thorough Erastians, were staunch upholders of the Establishment. Their prophet, Macaulay, vindicated it on the ground that the state, besides its cure of bodies, which was its primary duty, might well undertake as a secondary object the cure of souls. All attempts at disestablishment, or even at the removal of the bishops from the House of Lords,



made by champions of religious liberty such as Mr. Ward, were totally defeated by the combination of Whigs and Tories. A proposal to secularize the surplus funds of the plethoric Irish church cost the government the  
1834 secession of four of its members. Reform was limited to the appointment of an ecclesiastical commission, which set the house internally in order by the abolition of the most flagrant abuses such as pluralism and sinecurism, by the partial equalization of incomes, rectification of dioceses, and other reforms of a practical kind. Reform in this sense was promoted by statesmanlike prelates, such as Blomfield, Bishop of London, who understood the crisis and saw that the cry of sacrilege could not avail to hallow abuse. The hand of reform was not laid on the private patronage of livings, nor was anything done to prevent the sale of the cure of souls.

Some points, after much struggling with the obstructiveness of the Lords, were gained for religious liberty. Dissenters obtained permission to marry after their own  
1836 fashion instead of being compelled to marry with the service of the church. The commutation of tithe into a rent charge rendered its collection less galling to the  
1833 nonconformist conscience. Quakers were permitted, on taking their seats in parliament, to substitute an affirmation for the oath. The franchise was still withheld from the Jews, but in their case it was not wholly or chiefly a question of religion. Religion, even in the middle ages, had told less than is commonly supposed. The real difficulty lay in the political incorporation of a race which everywhere cherished a separate nationality accentuated by a tribal rite, refused intermarriage, held aloof, regarded other races as the stranger is regarded under the Mosaic

law, was kept united in itself and separate from other nations by a cosmopolitan tie, and was everywhere naturally disposed to use its vast financial influence for objects of its own. It is hard to say whether the transportation of the negro or the dispersion of the Jews has been most serious in its consequences to mankind.

Registration of births, deaths, and marriages was transferred from the church to the state. This again was a step in the divorce of church and state, and the thorough secularization of the state.

The connection between church and state had now become a manifest and, to earnest churchmen, a revolting anomaly. Since the suspension of convocation, parliament had been the only legislature of the national church. Parliament had once been Anglican. It was now a medley of men of all religions and of none. The union with Scotland had introduced a body of Presbyterians. Catholic Emancipation had introduced a body of Roman Catholics, mortal enemies to the church of England, and little likely to be restrained by any formal renunciation from the use of their power for her subversion. The political tide seemed to be setting towards a withdrawal by the state of its support from the church. Some of the clergy began to look about for another basis of their authority. They found it in apostolical succession, to which was presently to be added the sacerdotal theory and sacraments, and in time the "whole cycle of Roman doctrine." Thus commenced the Tractarian movement, upon which, after its catastrophe through the secession of its leaders, the Ritualist movement has followed. Oxford, with her medieval colleges, half monastic, clerical, and celibate, furnished a natural centre for an attempt to return to the

beliefs and to restore the church authority of the middle ages; while the movement was limited by the marriage of the Anglican clergy and their rectories, combined with the rooted protestantism of the mass of the people. Tractarianism, as the Romanizing movement was called, found its natural end in a secession to Rome. Again, as soon as life awoke in the church, the Elizabethan compromise broke down. It broke down always because the proper sphere of compromise is interest, not conviction. But it must be repeated that Oxford and Cambridge at this time, especially Oxford, were not so much universities as centres of the clerical interest, which was entrenched in the statutes of the ecclesiastical middle ages.

1836 Nonconformists had been excluded by religious tests from the national universities and upbraided for the lack of culture which was the consequence of their exclusion. A measure of emancipation passed the Commons, but as a matter of course was thrown out by the Lords. The nonconformists, however, succeeded in obtaining a charter for the free University of London, which bestowed the power of conferring literary and scientific degrees. Conscience continued to be mocked in the old universities by the imposition of religious tests, at Oxford the Thirty-nine Articles, on the consciences of boys. Statesmen failed to see the political advantages of identifying the great national universities with the nation, and educating the youth of the governing class under the same academic roof. Yet the nonconformists had more reason to fear for their young men the witchery of the ancient seats of learning, than the ancient seats of learning had to fear the subversion of their religious character by the admission of nonconformists.



An attempt of the government to get rid of the church rates, with the scandals and vestry wars which they bred, by a compromise in the shape of a substituted charge on the land-tax, had miscarried, the clergy being resolved to keep all they had, the nonconformists refusing to be satisfied with anything but total abolition.

Another measure of the Whigs, passed under their first government, was a new Poor Law. Of this they alone, perhaps, as aristocratic yet unsentimental economists, could have been the authors. The Tories would have been too sentimental; the Radicals too democratic. The law as it stood, by prodigal distribution of outdoor relief, had to a fearful extent pauperized the labourer. By proportioning alms to the number of children, it had encouraged that reckless increase of population, to the dangers of which attention had been called by the alarm-bell of Malthus. The poor-rate had for some time been increasing three times as fast as population, and amounted nearly to eight millions. Farmers had been taking to the employment of pauper labour paid by the parish in the shape of public alms instead of giving proper wages to the labourers. The property of ratepayers who were not farmers was being devoured. The self-reliance, self-respect, and industry of the poor were being fatally undermined. Pauperism, as might have been expected, became hereditary. A Bastardy Law, which enabled abandoned women to swear their bastards to any man they chose, was filling parishes with illegitimate children. A senseless Law of Settlement penned the poor in their native parishes and prevented labour from seeking its best market, besides breeding incessant litigation. Rural England was sinking into the slough of mendicancy and

parochial jobbery combined, though the best of the labouring class still pathetically struggled against degradation. A commission of inquiry having reported on these evils, a  
1834 great measure of reform was introduced. The workhouse test of indigence was established, and relief was denied to all, except the sick or hopelessly infirm, who would not come into the poor-house and submit to its discipline. The Bastardy Law was amended by charging the children on the mother; an enactment apparently harsh, but effective in restoring chastity. The law of settlement was amended; unions of parishes were formed; boards of guardians were created to administer the new system; the whole being an important step in centralization. The measure worked well, and the plague of pauperism was stayed. Peel and his Conservative following concurred with the Whigs in this legislation, which, however, was specially creditable to the Whigs, who risked their popularity by a measure sternly economic. The new "Bastilles," in truth, were and are ugly features in the lovely English landscape, though their grim forms preach, to the peasant at least, the wholesome doctrine that he who will not work shall not eat, and they may claim to be regarded rather as bulwarks of industry than as cruel counterparts of the Bastille. Strong opposition, however, was made to them by a party, or rather a circle, which combined Toryism with a strain of Chartism, and of which the leading spirit was John Walter of the *Times*. It is a blot on the escutcheon of the great journal that it long continued its bitter attacks on this most salutary measure. The system of public poor-relief was so rooted, that the question of falling back on voluntary charity, raised by Brougham and other economists, could not be entertained.

Democracy, whatever its political weaknesses, is humane. It is not to be charged with the French Reign of Terror, which was a paroxysm of blood-thirsty madness in the leaders of the Parisian rabble. It sets equal value on all human life, and recognizes in every human form the dignity of man. Its influence on jurisprudence was now felt, and had begun to be felt as soon as, the great war being ended, Liberalism was restored to life, when Romilly, and after him Mackintosh, laboured to reform the criminal law. Peel's growing Liberalism had been shown in the same field. The hideous list of capital crimes which an oligarchical legislature had bequeathed was reduced to murder and a few other offences of the most heinous kind. Further reduction was vetoed by the House of Lords. In the case of capital punishment a merciful interval was interposed between sentence and execution. Counsel was allowed to be heard for the accused in cases of felony, a piece of common justice, which, if English law had not been the slave of custom, it would be startling to find so long delayed. An end was put to imprisonment for debt, under which, to the disgrace of English jurisprudence, tens of thousands had languished, not a few of them for life. Inspection of prisons was instituted to prevent a repetition of the sickening horrors and brutalities which had moved the heroic efforts of Howard.

Something was done to give practical effect to the promise of the Great Charter that the crown would not delay or deny justice. In chancery, delay, above all when Eldon was chancellor, had practically amounted to denial. So had the cost, which was such that no one could be advised to sue in chancery for any sum less than five hundred pounds. Small debts were almost irrecoverable.



So it had been till the machinery of justice was improved by Brougham. The landed interest was so far reduced in power that it had to allow its estates to be made liable for its common debts. Registration of its titles was, under the inspiration of the family solicitor, resisted with success.

1833 The great act of humanity, however, was the abolition of slavery, which had taken place under the government of Grey. It was honourable to the people that the boon which they demanded next to their own enfranchisement was the emancipation of the slave. They had, perhaps, an instinctive feeling that there might be white slaves as well as black. The time for emancipation was now come. Slave colonies, with the whip, the branding-iron, and the general brutality, were a hell, and they had been growing still more hellish as the declining profits of the planter led him to press more ruthlessly on the slave. Slavery was abolished, twenty millions being paid as indemnity to the slave-owners. Wilberforce just lived to see the day and to utter his *Nunc Dimittis*. Parliament, seeing the dangerous gulf which lay between slavery and free labour, sought to bridge it with apprenticeship. But this failed, and before the term had expired full freedom was conferred. The planters of Antigua did themselves honour by forwarding emancipation; the planters in general, as was natural, opposed it, more bitterly because on the approach of freedom the slave had begun to shake his chains, and disturbances had broken out. The abolition of slavery by Great Britain gave an impulse to the abolition of slavery throughout the world, notably in the United States. The slave-trade was already under the ban of nations; but it was carried on by contrabanders,

with horrors in the packing of negroes on board slave-ships aggravated by the danger of capture. Great Britain maintained a crusade against it which, purely disinterested and philanthropic though it was, by the jealousy of other nations was ascribed to her lust for domination, and might, under the conduct of Palmerston, now master of the foreign office, assume an imperious and offensive form.

Military flogging, that foul stain on the honour of the British army, and the impressment of seamen, both morally received their death-blow, though the practice of military flogging died a very lingering death.

Freedom of trade had undying advocacy in the "Wealth of Nations," while apostles of it, such as Huskisson, Brougham, and Horner, did not fail. Huskisson, as a minister under Wellington, had effected some reciprocal reductions of duties and a relaxation of the navigation laws. For deliverance from the Corn Laws there was nothing as yet to be done. The landed interest was still too strong in parliament; the argument that the country must produce its own bread, not be dependent on the foreigner, had great weight; and the Whig premier had declared that to propose repeal of the Corn Laws would be madness. At last there arose a great power opposed on this question to the landed interest, and strong enough, when circumstances favoured, to cope with it in the political field. The manufacturer wanted more hands and cheaper bread to feed them. He set on foot a crusade against the bread tax; founded an Anti-Corn Law League; and enlisted in its service the eloquence of Bright and Cobden. There was war between the manor-house and the factory. The land-owner exposed the cruelties of the factory system; while the manufacturer

exposed the misery of the underpaid tiller of the soil, and in the Free-Trade Hall, which rose on the scene of the Peterloo massacre at Manchester, exhibited the nether garments of a Dorsetshire labourer standing upright with patches and grease.

1834 As a free-trade victory, may be reckoned the abolition, on the renewal of the East India Company's charter, of the Company's monopoly of the China trade. The monopoly of the Indian trade having been abolished on the last renewal of the charter, here is the end of that great system of commercial monopolies which, having served its purpose when there was no peace on the sea, and commerce needed everywhere to go armed, had now survived its usefulness, and become a mere obstruction to the growth of trade.

In the Factory Acts the legislature enlarged its sphere and verged on socialism; so at least it appeared to strict economists, who viewed this legislation with misgiving, as well as to the manufacturers and coal-owners whose personal interests were touched. Yet government does nothing socialist or beyond its rightful sphere in protecting those who cannot protect themselves. The factory system, while it was adding vastly to the wealth of the nation, was showing its darker side in its ruthless employment of infant labour. Children had been sent, by parishes which wished to get rid of them, to distant factories as little slaves, and manufacturers had sometimes covenanted to take one idiot in every twenty. Nor was the cruelty much less when the supply of infants was produced on the spot. Children eight years old or even younger were kept at work for twelve or thirteen hours a day, in rooms the air of which was foul and the moral



atmosphere equally tainted, to the certain ruin of their health as well as of their character and happiness. Attention had been drawn to the evil and something had been done for its mitigation under George III. ; but the voice of philanthropy was little heard amid the din of the great war. Stubborn was the struggle made by avarice against humanity, which in the person of Lord Ashley pleaded for mercy to the child. Labour for children under thirteen was in the end reduced to eight hours a day, and factory inspectors were appointed.

1833

The Factory Acts presently led on to similar acts, also due to the efforts of Lord Ashley, in favour of the people employed in coal mines, in which women were used as beasts of burden, children were even more cruelly treated than in the factories, and women and children were made to crawl on all fours in the passages of the pits dragging carts by a chain from the waist passed between the legs, immorality as well as filth surrounding all.

Medieval statutes of labourers had compelled the labourers to work at wages fixed by the employer class. Later, combination laws forbade labourers to combine for an advance of wages. On the motion of Joseph Hume, inspired by his Radical mentor, Francis Place, combination laws had been relaxed and trade-unions had been made legal. But some farm labourers in Dorsetshire, where the lot of the labourer was very wretched, having banded themselves together as a union, six of them were indicted, nominally for administering an illegal oath, and sentenced to seven years' transportation. A demonstration of the trades in their favour, on so large a scale and so menacing as to call out soldiery and artillery, brought about their pardon and recall to their native land.

1833 A beginning was made, on a small scale, of national education by forming a committee of the Privy Council for its promotion with an annual sum of twenty thousand pounds, which was distributed through two school societies, one Anglican, the other undenominational and regarded with jealousy by Anglicans. This was Brougham's great subject, and other philanthropists, such as Lancaster, Bell, and Raikes the founder of Sunday-schools, had been labouring in the same field. It was assumed that the chief cause of popular vice and crime was ignorance, which popular education would dispel. Perhaps in the discussion the distinction between popular education and state education was not kept distinctly in view; nor was it very clearly seen what principles the adoption of state education involves. That the community is bound to provide education for all the children whom anybody chooses to bring into the world; that the provident who defer marriage till they can support a family are bound to pay for the improvident; that one class is bound to provide education for another class; are not undisputed propositions. Nature, some contend, pronounces that the duty as well as the right of educating children belongs to the parents, or those to whom the parents may intrust it. It is also to be observed that in a community divided in religion the state can hardly take to itself the duty of education without practically establishing secularism; recognition of religion by giving its ministers access to the children at certain hours being not of great value, since what religion demands is the whole life of the child. Nor is it likely that a state system of education would be free from the defects of a machine. The common schools of primitive New England and

even those of Scotland in early days were probably less unparental than state schools in the present day, nor was there in those communities any sectarian division to prevent the school from being religious. The voluntary system might be the best, as it apparently is the most natural, if it had power to do the work. But the need was urgent; the object, if education was really the sovereign remedy for vice and crime, was of transcendent importance. Security of some sort for the voter's intelligence was the indispensable safeguard of an extended franchise. The state system, at all events, at this time introduced in germ, has continued to grow till at last its complete ascendancy seems assured.

When the franchise was extended a cheap political press for the instruction of the new voters became a manifest necessity of the state. The Whig government proceeded to reduce the stamp duty on newspapers from fourpence to a penny, and to reduce the excise on paper at the same time. The Tories urged that greater relief would be afforded to the people by a remission of the duty on soap. In the eyes of a true Tory a newspaper press was a vulgar organ of evil speaking and sedition. 'The lowering of newspaper stamps would tend to introduce a cheap and profligate press, one of the greatest curses that could be inflicted on humanity.' 'The poor man, as it was, could have a sight of a newspaper in a coffee-house for three halfpence.' The reduction of the stamp and excise could not fail to enlarge the realm of the new-born power. Circulation was speedily doubled. Nor was the benefit confined to newspapers; it extended to the Penny Cyclopædia and other conduits of cheap knowledge. Such a power as journalism, wielded any-



mously, and therefore without personal responsibility, may seem dangerous, and in fact is not free from danger to the state. But political party at once found its way up the back stairs of the editorial room and got the power into its hands.

1839 With the cheapening of newspapers as well as with the general progress of intelligence may be connected the introduction of the penny post, achieved by Rowland Hill after a long struggle with the official inertness and mistrust of change, which, even when public servants are most upright, are apt to put, public services at a disadvantage in comparison with private enterprise, which is stimulated to improvement by the hope of gain.

This was generally a time of intellectual and scientific activity, of adventure, discovery, and hope; a time in which frivolous amusements gave way to serious pursuits, in which card-playing was renounced for conversation. It was a time in which it has been jocosely said everything was new, everything was true, and everything was of the highest importance.

“Ireland is my difficulty,” said Peel, when his time for taking office drew near. It was not his difficulty only, it was equally that of the Whigs, and must have been that of any British government set to rule Ireland on the principles which still prevailed. The union of the kingdoms had been politically equal, Ireland receiving her full share of representation in the united parliament. But Ireland, instead of being thoroughly and heartily incorporated, had continued to be administered as a dependency through the lord-lieutenant and the Castle, while protestant ascendancy had continued to be the rule of government. Catholic Emancipation, long-delayed and at

last enforced, had lost its grace. Nor had it been followed by real equality. Catholics, their leader O'Connell among the rest, were still treated as social pariahs, and though admitted to parliament and there wielding power in the national councils, were excluded from the offices of government and even from the honours of the bar. Tithes continued to be levied for the detested church of the minority and the conquest, while its members were a mere fraction of the people and its clergy were often without congregations, in many cases non-resident. War was waged between the people and the tithe proctors, and on the side of the people with the paroxysms of cruelty to which Celtic character is prone. The peasantry were a vast conspiracy against the law, which to them was a code of oppression. Murder and outrage stalked in their most horrible forms through the land, while the arm of justice was paralyzed, since none dared to bear witness against the assassin. In Kilkenny, within a twelvemonth, there had been thirty-two murders and attempts at murder, thirty-four burnings of houses, five hundred and nineteen burglaries, thirty-six houghings of cattle, and one hundred and seventy-eight assaults with danger of loss of life. In Queen's County during the same period there had been sixty murders, six hundred and twenty-six nightly attacks on houses and burglaries, one hundred and fifteen malicious injuries to property, and two hundred and nine serious assaults. There were also in one year two thousand and ninety-five illegal notices. One case especially had impressed Peel, when in his earlier days he was administering Ireland, as a proof of the pitch which deadly passion had attained. Assassins entered a house in which were a man, his wife, and their little daughter. The man was

found by the assassins on the ground floor. The woman in the room above heard them murdering her husband below. She put the child into a closet from which what was passing in the room could be seen, and said to her, "They are killing your father below, then they will come up here to kill me; mind you look well at them while they are doing it, and swear to them when you see them in court." The child looked on while her mother was being murdered; she swore to the murderers in court; and they were convicted on her evidence. The Orange Lodges in England disbanded on an appeal from the throne. In Ireland they remained on foot and met with equal ferocity the savage hatred of the catholic Celt. Macaulay, when O'Connell threatened the government with civil war, could reply, "We are past that fear; we have civil war in its worst form already."

O'Connell remained master of catholic Ireland. To deal with him was most difficult. While he ostensibly preached respect for law and order, he was always doing his utmost to inflame the passions of his people. His language, not only in speaking of opponents such as Wellington and Peel, but of friends, such as Grey, who thwarted his will, was incredibly foul. "Is it just," he said of Grey, "that Ireland should be insulted and trampled on merely because the insanity of the wretched old man who is at the head of the ministry develops itself in childish hatred and maniac contempt of the people of Ireland?" He proceeded to denounce Grey, his family, and his colleagues, as plunderers of the public, and implored his brother reformers to come forward and teach "the insane dotard, who was at the head of the administration," that Englishmen and Scotchmen were alive to the wants



and sufferings and the privileges of the people of Ireland. Attempts to put the law in force against him, amidst the people who worshipped him, he defied. With such a man, even if his cause was right, it was hardly possible to act without dishonour. If the step of justice to Ireland was slow, this man's attitude and conduct, which inflamed every prejudice against his race and religion, must, in part at least, bear the blame. Rather, perhaps, as a menace, than with a hope of any practical result, he commenced, and to the end of his life fitfully kept on foot, an agitation for the repeal of the union. This, both houses of parliament had met with a resolution recording "in the most solemn manner their fixed determination to maintain unimpaired and undisturbed the legislative union between Great Britain and Ireland, which they considered to be essential to the strength and stability of the Empire, to the continuance of the connection between the two countries, and to the peace, security, and happiness of all classes of his Majesty's subjects." A brave resolution if only the right measures could have followed.

Something was done in the way of pruning the monstrous exuberance of the Irish state episcopate, and tempering the more flagrant scandals of the parochial system. By commuting tithe into a rent-charge on the land, that impost was rendered, though not less unjust, less directly galling to the people. Secularization of the surplus revenues of the church, on which the Whigs had defeated Peel and supplanted him in office, they were compelled to abandon, not without loss of honour, that they might carry the commutation of tithes. While the catholics were still excluded from the national university of Dublin, a grant was made to their ecclesiastical seminary at May-

nooth. Irish cities received a measure of municipal self-government, maimed by the constant fear of allowing a catholic majority to gain the upper hand, as though it had been possible to frame elective institutions in which the majority should not prevail. The fancied necessity of upholding protestant ascendancy pervaded and vitiated all government and legislation. Suspension of Habeas Corpus, martial law, prohibition of public meetings, trials for sedition, formed the staple of Irish administration, whether it was in Whig or in Tory hands. The abolition of the Irish state church, the reform of the land law, the levelling of all barriers of race and religion, the substitution, in short, of a genuine union for a union of ascendancy, dependence, and exclusion, were the necessary conditions of a solution of the Irish problem ; and to the level of such a policy the statesmanship of that time had not risen ; nor, if it had, could it have carried with it the English and Scotch people. It is always to be borne in mind that catholicism in countries where it prevailed, such as Italy and Spain, was still less tolerant than was protestantism in Great Britain and Ireland.

The suffering classes, meantime, had not ceased to suffer. They had learned agitation in the struggle for the Reform Bill, and their golden hopes had been disappointed in the result. They also had a press with a wide circulation. They treated universal suffrage as "a knife and fork" question, and demanded for every freeman plenty of bread and a good home. To enforce this demand they signed monster petitions, met in great conventions, and threatened violence. To put the people down was not congenial work for a Liberal government. Yet it was work for which Melbourne was qualified by the calmness of his

temper, and his half cynical, half sympathetic view of the errors of mankind. The Chartists injured their cause by attacks on the new Poor Law and opposition to free trade.

The Whig government, however, weak in men, weak especially in finance, harassed by the termagant patronage of O'Connell, ill-supported by the Radicals, dominated by Peel, embarrassed by the Irish difficulty, loaded with promises and expectations which could not be fulfilled, was on the point of falling, when the lingering influence of royalty was once more displayed, and the ministry was respited by the demise of the crown. William IV., who by this time had become thoroughly reactionary and hated his reform ministry, died, and was succeeded by a lady whom the law held, by reason of her birth, qualified to govern an empire at eighteen. The young queen, brought up at a distance from her uncle's court, fell at once under the influence of her Whig ministers, especially of Melbourne, who was well fitted to win her attachment, treated her with consummate tact, and took up his residence at Windsor, where, we are told by Greville, he passed several hours every day in her company, and two every evening at her side, forgoing his habits of lounging ease and his wonted expletives. The sovereign's name was still one wherewith to conjure, and the Whigs conjured with it liberally and with effect. There was, not for the first time, a reversal of parts, the Whigs becoming intensely loyal, while the Tories became enemies of the court. A Tory member of parliament even used language so uncourtly as to move a Whig to show his loyalty and chivalry by provoking the blasphemer to the field.

This restorative, however, was presently exhausted, and, on a question respecting the constitution of Jamaica, its



majority having been reduced to vanishing point, the Whig government fell. Yet once more it lifted itself from the ground by grasping the petticoats of the Ladies of the Bed Chamber. The incident was called the Bed Chamber Plot. The Whigs had surrounded the queen with their women. The women ought at once to have resigned with the government; but they clung to their places, and their mistress naturally clung to her companions. Melbourne having resigned, Peel was called upon to form a government. He insisted that, as a proof of the confidence of his sovereign, the principal ladies of her household should be changed. The queen resisted, and was countenanced in her resistance by the Whigs, who, though they had resigned office, did not scruple to meet as ministers and advise the crown. Peel then refused to form a government, and once more, as in the time of Anne, the Bed Chamber Ladies turned the day. That Peel was constitutionally in the right is not disputed. Even one so loyal to the crown as the Duke of Wellington had no doubt upon that point. It is probable that the Whig ladies might have been able to give trouble; probable also that they would have given it if they could. It is not likely, however, that Peel would have yielded to such an obstacle if he had felt that his time for taking office was fully come. He was determined not to take office without power.

1839 The Melbourne government returned weaker and less respected than ever. A motion of want of confidence, 1840 moved by Sir John Yarde Buller, into which Peel was probably hurried by the uncontrolled eagerness of his following to pounce on the expiring prey, was defeated by a small majority. But a serious financial deficit, the

most unpardonable of faults in the eyes of a middle-class constituency, finally settled the fate of the Whig ministers. Vainly in the article of death they sought to save themselves by raising the question of the Corn Laws, to the maintenance of which they had committed themselves no less deeply than their opponents. No regard was paid by the nation to so transparent a device. A resolution of want of confidence was passed by a majority of one. Appealing to the country, the Whigs were totally defeated. A resolution of want of confidence was carried in the new House by a majority of ninety-one. The Whigs then resigned. The Conservatives, with Peel at their head, came into power, and the epoch of the parliamentary Reform Act of 1832 was closed. 1841

## CHAPTER X

### THE EMPIRE

**M**EANWHILE the United Kingdom had been expanding into the British empire, embracing at this day, besides the thirty-nine millions of people in the two islands, three hundred millions in India and twenty millions, more or less, in colonies scattered over the globe. Instead of being sea-girt, England has an open land frontier of four thousand miles, allowing for indentation, in North America, besides the whole northern frontier of Hindostan. To hold this empire, she has to maintain a fleet not only for her own defence and that of her trade, but for her command of all the seas.

An empire this vast aggregate of miscellaneous possessions is called. To part of them the name is misapplied, and its misapplication may lead to practical error. Empire is absolute rule, whether the imperial power be itself a monarchy, like the Persian or the Spanish; an aristocracy, like the Roman or the Venetian; or a commonwealth, like Athens of old and Great Britain at the present day. In the case of the British possessions, the name is properly applicable only to the Indian empire, the crown colonies, and fortresses or naval stations, such as Gibraltar and Malta. It is not properly applicable to self-governing colonies, such as Canada, Australasia, and the Cape, which, though nominally dependent, are in reality inde-



pendent; do not obey British law; do not contribute to British armaments, and are at liberty even to wage commercial war against the mother-country by laying protective duties on her goods.

The word "colony" too is used in a misleading sense, as if it were synonymous with dependency or were limited to colonies retaining their political connection with the mother-country. The colonies of England, which now form the United States, did not cease, on becoming independent, to be English colonies.

In the feudal notion of personal fealty which led the colonist to think that even at the ends of the earth he remained indefeasibly the liegeman of the British king, combined perhaps with the notion, also feudal, of the crown as supreme land-owner, we probably see the account of the political tie between the British colonies and the British crown. The *Mayflower* exiles, in their compact before landing, described themselves as loyal subjects of King James, who had undertaken, for the glory of God, the advancement of the Christian faith, and the honour of their king and country, to plant the first colony in the northern parts of Virginia. Had the exiles of the *Mayflower* been citizens of a Greek republic, they would have taken the sacred fire from the hearth of the mother city and gone forth to found a new commonwealth for themselves, owning no relation to its parent but that of filial respect and affection.

Of the self-governing colonies, the chief and the type is Canada, whose political history may be said almost to include those of the rest. When Canada was conquered by the British, Voltaire openly rejoiced over its transfer

from the realm of despotism to that of liberty. A little newspaper, the herald of a free press and political discussion, soon appeared, and trial by jury was introduced, though it seems not to the satisfaction of the French who preferred French ways. The conqueror appears at first to have doubted how to deal with his conquest. Had he wished to Anglicize it, there would have been little difficulty in so doing, the population being under seventy thousand, and its social leaders, mostly official and military, having departed. But the storm rising in the American colonies, whose secession was the certain and predicted consequence of the destruction of the French power on that continent, seems to have determined him the other way. Conciliation of the French Canadians through the priesthood which controlled them became his aim; and this policy, seconded by the priests' hatred and fear of the New England Puritan, kept Canada faithful to the king's cause during the Revolutionary War. The Quebec Act secured to the French Canadians their civil law and recognized their religion, confirming the secular clergy in their position and in their reception of tithes from the catholic population, subject to tests of allegiance. The monastic orders, though excepted by the Act, were yet left in possession. The signorial tenures created by the French monarchy remained untouched. The Act was little pleasing to staunch Protestants or to the British who had begun to settle in Quebec for commercial purposes, and expected to carry with them British institutions, and though they were a small minority to stalk as conquerors in Quebec.

But the British element in Canada and the other North American possessions of Great Britain presently received

a large addition from the influx of United Empire Loyalists, who, at the close of the Revolutionary War, had been driven from their homes by the blind vindictiveness of the victorious party, disregarding the advice of its best leaders. For these exiles Great Britain was bound in honour to find new homes beneath her flag, otherwise she might, after resigning her American colonies, have taken the advice of those who would have had her altogether withdraw from the continent. A set of families designated by the crown for special honours, and constituting almost a social caste, was thus formed in Canada under the name of United Empire Loyalists, to transmit the memory of the ancestral feud and combine fervent attachment to the British flag with traditional antagonism to American connection. Nor has the spirit of United Empire Loyalty yet entirely died out, though of the descendants of the original exiles not a few are now to be found in the United States. 1783

The French Revolution had passed its first stages when Pitt framed an Act for the permanent settlement of Canada. To put a bar between the two races Canada was divided into two provinces; Lower Canada, now Quebec, for the French, and Upper Canada, now Ontario, for the British, thus perpetuating the French nationality. To each province was given a constitution on what was taken to be the British model, with a governor for king; a legislative council appointed by him in the name of the crown, for the upper house of parliament; and for the lower house an assembly elected by the people. The governor, however, was intended not only like the constitutional king to reign, but to govern; to appoint his own executive council, not to have it designated for him by the assembly; and to 1791



frame his own policy subject to the instructions of the Colonial Office, to which, not to the colonists, he was to be responsible. The members of the legislative council were to be appointed for life. Power was taken to make the tenure hereditary with titles of honour, and thus to endow Canada with a peerage; this project, however, together with great landed estates and primogeniture, the democratic spirit and the economical conditions of the new world repelled. To complete the constitutional imitation, on each province was bestowed something like a counterpart of the state church of England in the shape of a "protestant" church, with an endowment out of the crown lands. In both provinces the criminal law of England, with Habeas Corpus, was established, but to the French provinces the civil law of France was left. The right of imposing duties on commerce or navigation, the exercise of which had led to the quarrel with the American colonies, was reserved to the imperial parliament, but the duties were to be applied to the use of the province.

1812 During the early years the settler in British Canada was too much engaged in his victorious battle with the wilderness to think much about politics; while among the simple peasantry of Quebec, whose life was divided between their tiny farms and their church, politics had not been born. Then came the American war and the invasion of Canada, which turned all thoughts and energies to arms. Once more the French Canadians were kept true to Great Britain by their priests, who saw in her the antagonist of the French Revolution and had sung *Te Deum* for Trafalgar. This was the time at which it might have been said that the last gun in defence of British dominion on the American continent would be fired by a

French Canadian. A quarter of a century later Lord Durham, as the British commissioner of inquiry, could report that an invading American army might rely on the co-operation of almost the entire French population of Lower Canada. Before the war commerce and intercourse, with a certain amount of American immigration, had been exerting their softening influence on the relations between the two sections of the English-speaking race, and it would appear from the complaints of the British governor and the British commander-in-chief that the Canadians were at first not eager to take up arms, though when attacked they made a very gallant and memorable defence. The war revived the antagonism in full force, doing for the traditional feeling of Canada towards the United States what the Revolutionary War had done for the traditional feeling of Americans towards Great Britain; the opposition of New England to the war going for no more with Canadians than had the opposition of the Whigs to the coercion of the American colonies with the people of the United States. The treatment of the Canadian question from first to last seems little creditable to American statesmanship.

In time, however, there was political trouble in both provinces. In both it took the same form, that of a struggle of the elective assembly to establish its control over the policy of the governor and over the executive and legislative councils nominated by him; in other words, to introduce in place of the formal British system the real British system, which was that of government responsible to the nation. But the cause of quarrel was different in the two provinces. In Quebec the cause was race. The "habitants" were a surviving segment of the French

peasantry before the Revolution ; kindly and good, but simple-minded, uneducated, unprogressive, primitive even in the farming which was their only pursuit, and governed by the priest, to whom had passed all the power once shared by the king and the signor, saving what might fall to a few old French families or to the notary. They were invaded and confronted by Englishmen and Scotchmen, active-minded, educated, and aggressive, who engrossed the sources of wealth and bore themselves as the imperial race. The French, still Frenchmen, French-Canadians at least, to the core, found their nationality threatened with suppression in its own home. Their jealousy was aroused, and a political war of races ensued. The British had the governor and the offices of government in their hands. They were intrenched, not only in the executive council but in the legislative council appointed by the governor which formed the upper house of the parliament. In the lower and elective house the French had a great majority. The chief bone of contention, as in the contests between the crown and the Commons in England, was the control of the revenue, part of which the crown drew from crown lands and sources other than grants of the assembly. But the signories with their vexatious incidents ; the tenure of the judges, which was during pleasure, and their appearance in the political arena ; restrictions placed, in the interest of French monopoly, on banking ; formed with other minor issues secondary causes of the political war. The war was waged on the part of the French, untrained in constitutional tactics, with irregular and sometimes misdirected fury. Prominent members of the government or judiciary were made the objects of personal attacks. The ignorance



of the "habitants," which was such that of eighty-seven thousand persons who signed a petition, only nine thousand could write their own names, combined with their jealous nationality, made their masses an easy field for patriotic agitation. Their leader was Papineau, a popular orator and little more. At his side was Wolfred Nelson, a man of greater force, one of the few Englishmen who on radical grounds took the French side. The Colonial Office, wishing to do right, but in those days of slow communication ill-informed, not discerning that the source of the quarrel was race, but taking it to be political and fiscal discontent, strove in vain by instructions and commissions of inquiry to arbitrate and to lay the storm. It succeeded only in showing the impracticability of a system which sought to combine the parliamentary with the unparliamentary principle and self-government in a distant colony with the continuance of imperial control. That imperial control should continue, and that the governor who represented it should be a viceroy, choosing his own ministers, shaping his own policy, and responsible to the colonial office alone, not a constitutional figure-head, with a ministry imposed upon him by the colonial Commons, was the fixed idea of British statesmen; and not of Tories only, but of Liberals like Lord John Russell.

In the British province, on the other hand, the contest was purely political, the object of the movement there being to put an end to arbitrary rule and introduce the British system of responsible government. Power, office, and public emolument had in British Canada been engrossed by an oligarchy nicknamed the Family Compact, though with little reason, since family connection among its members there was none. The Family Compact was a politi-

cal ring composed of United Empire Loyalists, with other early settlers and some retired British officers who had received grants of land, and having, not much to their discredit, failed in the battle with the wilderness, were fain to quarter themselves on the state. This oligarchy, which gave itself the social airs of an aristocracy, was, like the English oligarchy at Quebec, intrenched in the nominee House and had the governor and the government in its hands. It monopolized public emolument, handled all public money, and helped itself to the public lands. In opposition to it was the body of the more recent settlers from England, Scotland, and Ireland, exiles often of discontent, together with some immigrants from the United States who brought with them and disseminated republican ideas. With the Family Compact was allied the Anglican church, endowed, privileged, and everywhere Tory, the head of which, Bishop Strachan, a seceder from Presbyterianism and, as his enemies said, from ecclesiastical ambition, was a too active partisan. Of the special questions on which battle was joined, the most burning was the disposal of the clergy reserves, which the Anglican church was resolved to keep for herself, while the opposition sought to divide them between the Anglican church and the church of Scotland; to divide them among all the protestant sects; or, which was the thoroughgoing Radical policy, to appropriate them for the purposes of the state. The reservation of these lands was felt as an obstruction to settlement in addition to the religious injustice. Other questions were the control of all the revenues of the province and the disposal of the public lands, law reforms, the power to impeach public servants, exclusion of judges and clergy from parliament, and the

abolition of primogeniture. But the main issue was responsible government; in other words the control of an elective assembly over the appointment and policy of the ministers of the crown. Of the opposition there were different sections. On one hand were constitutional reformers, still attached to British connection and desirous only of a complete measure of British institutions. Of these, forming far the most numerous section, Robert Baldwin was the chief. On the other hand there were the thorough-going Radicals, with a leaning to the American republic, of whom the leading spirit at the critical moment was William Lyon Mackenzie, an excitable and peppery Scotchman, courageous and honest, but not wise. Between Lyon Mackenzie and the Family Compact there was deadly war. The Compact tried to crush him by legal means and five times expelled him from the assembly, while their hot-headed youth broke into his printing office and wrecked the press of his patriotic journal. The governor, Sir John Colborne, was a good old soldier and a martinet of duty, but incapable of reading the times. He regarded political agitation as mutiny, gave popular deputations a chilling reception, and to the numerously signed petitions of an indignant public for the reform of abuses returned the military answer, "Gentlemen, I have received the petition of the inhabitants."

At length in both the provinces came civil war; for 1837  
civil war it was rather than rebellion against the British crown. In Quebec the leader of the insurrection was Papineau, who, being a mere orator, at once collapsed and fled. Nelson showed more force and at first gained a slight success over the royal troops. The priests at first stood aloof, their nationality and religion inclining them



to the French side; but they knew that incorporation with the American republic, which loomed in sight, would be unfavourable to their ascendancy, and they at last threw their weight into the scale of government. With their moral aid, and that of the British in arms added to the regular troops, the British commander easily suppressed the insurrection, and the province, its constitution suspended, lay at the feet of the government. There was little concert between the two insurrections; in fact, the feeling of the British insurgents in Upper Canada would, on the supreme question of race, have been against the insurgents of Quebec.

In Upper Canada the outbreak was due largely to the eccentricities of Sir Francis Bond Head, a governor devoid of political experience, whom the colonial office had sent out apparently because it was supposed that, as an adventurous traveller, in which character he had made his mark, he would be likely to suit the backwoods. Head threw himself into the arms of the Tory party, the core of which was the Family Compact, and used all the influence of government in favour of that party. In a general election, after a contest of the utmost violence, the Tories won the day, largely by intimidation and corruption. The extreme reform party, now hopelessly outvoted in the assembly, was driven to despair and flew to arms. The governor, confident in his moral influence and puffed up by his victory in the election, had ostentatiously denuded the province of troops and disdained all military precautions. Mackenzie brought before Toronto a force sufficient to take it with the aid of his friends within the city. But he was no general; a belated and almost farcical attack on which at last he ventured failed;

the loyalists rallied; and Mackenzie with most of his political associates fled, while two of them went to the gallows. A desultory and ineffectual war was for some time kept up with the aid of American filibusters on the border, and revived the angry passions of the war of 1812. A party of Canadians burned the filibustering schooner *Caroline*, and the arrest of one of them afterwards in the United States, where he was put on trial for his life, threatened to bring on war.

In Great Britain Liberalism was now in the ascendant and had carried parliamentary reform. As its envoy, and in its mantle, Lord Durham, the son-in-law of Lord Grey, the Radical aristocrat, the draftsman of the Reform Bill, came out as governor and high commissioner to report on the disease and prescribe the remedy. He over-rated his position and his authority, moved about, Radical though he was, in regal state, assumed the power of banishing rebels without process of law, fell into the clutches of Brougham, with whom he was at feud, was censured and resigned. But he had brought with him Charles Buller, an expert in colonial questions, with the help of whose pen and that of Gibbon Wakefield, he framed a report which by its great ability and momentous effects forms an epoch in colonial history. 1832

The Durham report recommends the union of the two provinces and the concession of responsible government, that is, of a government like the British cabinet, virtually designated by the representatives of the people and holding office by the title of their confidence. "To conduct their government," says Durham of the Canadian people, "harmoniously, in accordance with its established principles, is now the business of its rulers; and I know not

how it is possible to secure that harmony in any other way, than by administering the government on those principles which have been found perfectly efficacious in Great Britain. I would not impair a single prerogative of the crown; on the contrary, I believe that the interests of the people of these colonies require the protection of prerogatives, which have not hitherto been exercised. But the crown must, on the other hand, submit to the necessary consequences of representative institutions; and if it has to carry on the government in unison with a representative body, it must consent to carry it on by means of those in whom that representative body has confidence." What Durham meant by his saving words about the prerogative is not clear; nor has he explained how supreme power could be given to the colonial parliament without taking away prerogative from the crown. No effect, at all events, has ever been given to those words.

"We can venture," said the Tory periodical of that day in a notice of the report, "to answer that every uncontradicted assertion of that volume will be made the excuse of future rebellions, every unquestioned principle will be hereafter perverted into a gospel of treason, and if that rank and infectious report does not receive the high, marked, and energetic discountenance and indignation of the imperial crown and parliament, British America is lost." If resignation of authority is loss of dominion, the prediction of the writer in the *Quarterly* that British America would be lost, can hardly be said, from the Tory point of view, to have proved substantially unfounded.

The avowed object of union was the extinction of French nationality, which the authors of the report hoped would be brought about without violence by the political



subjection of the weaker element to the influence of the stronger. "I entertain," says Durham, "no doubts as to the national character which must be given to Lower Canada; it must be that of the British Empire; that of the majority of the population of British America; that of the great race which must, in the lapse of no long period of time, be predominant over the whole North American Continent. Without effecting the change so rapidly or so roughly as to shock the feelings and trample on the welfare of the existing generation, it must henceforth be the first and steady purpose of the British government to establish an English population, with English laws and language, in this Province, and to trust its government to none but a decidedly English Legislature."

Union was accepted in Upper Canada. On the French province, by which it would certainly have been rejected, it was imposed, the constitution there having been suspended. For the united provinces the constitution was in form the same as it had been for each of the provinces separately, with a governor and his executive council, a legislative council appointed by the governor and a legislative assembly elected by the people; but with "responsible government," the understanding henceforth being in Canada as in Great Britain that the governor should accept as the members of his executive council and the framers of his policy the leaders of the majority in parliament. The upper House was afterwards made, like the lower, elective with constituencies wider than those for the lower House. The same number of members in the legislative assembly was assigned to each of the two provinces, though the population of Quebec was at this time far the larger of the two.

The constitution thus granted to the colony was in reality far more democratic than that of the mother-country, where, besides a court actually present and a hereditary upper House, there were the influences of a great land-owning gentry and other social forces of a conservative kind, as well as deep-seated tradition, to control the political action of the people.

Not without a pang or without a struggle did the Colonial Office or the governors finally acquiesce in responsible government and the virtual independence of the colony. Poulett Thomson, afterwards Lord Sydenham, 1839 sent out as governor by the Melbourne ministry, showed some inclination to revert to the old paths, shape his own policy, and hold himself responsible to the colonial office rather than to the Canadian people; but he was a shrewd politician and took care to steer clear of rocks. 1841 His successor, Bagot, though a conservative and appointed by a conservative government, surprised everybody by discreet and somewhat epicurean pliancy to the exigencies 1843 of his political position. He reigned in peace. But Metcalfe, who followed him, had been trained in the despotic government of India. Backed by the Conservative government which had sent him out, he made strenuous efforts to recover something of the old power of a governor, to shape his own course, and make his appointments himself, not at the dictation of responsible ministers. The result was a furious storm. Fiery invectives were interchanged in parliament and in the press. At elections stones and brick-bats flew. Canada was for several months without a government. The fatal illness of the 1846 governor terminated the strife. Lord Elgin, when he 1846 became governor, heartily embraced the principle of re-

sponsible government, and upon the demise of the ministry sent at once for the leader of the opposition. He flattered himself that he was able to do more under that system than he could have done if invested with personal authority. That he could have done a good deal under any system by his moral influence was most likely, for he was one of the most characteristic and best specimens of imperial statesmanship. But moral influence is not constitutional power. About the last relic of the political world before responsibility was Dominick Daly, who deemed it his duty to stay in office, any changes in the ministry and principles of government notwithstanding.

The other North American colonies, Nova Scotia, New Brunswick, and Prince Edward Island, went through a similar course of contest for supreme power between the governor with the council nominated by him and the elective assembly, ending in the same way. On them also the boon of responsible government was conferred. In the case of Prince Edward Island the political problem had been complicated by an agrarian struggle with the body of grantees among whom the crown, in its feudal character of supreme land-owner, had parcelled out the island.

Liberalism now gained the upper hand in the united Canada and ultimately carried its various points. Exiled rebels returned. William Lyon Mackenzie himself was in time again elected to parliament, and Rolph, another fugitive, was admitted to the government. The clergy reserves were secularized, university education was made unsectarian, and religious equality became the law. The signories in the French province were abolished, compensation being given to the lords. The passions

1853

1854



of the civil war were for a moment revived when an Act was passed awarding compensation to those whose property had suffered in the suppression of the rebellion. This the Tories took to be payment of rebels. They dropped their loyalty, as Tories are apt to do when Liberals are in power, stoned the governor-general, Lord Elgin, who had assented to the Bill, and burned the parliament-house at Montreal. But Lord Elgin, calmly wise and well sustained at home, restored peace.

As an attempt to suppress the French nationality, union signally failed. The French, the mass of them at least, clung together more closely than ever, and, the other race being split into factions, held the key of the political situation. They enforced the repeal of the clause in the Union Act, making English the only official language. A candidate for the speakership was rejected on the ground of his ignorance of French. At most the French politicians became half Anglicized, as their successors do at present, for the purposes of the political field. It came to be recognized as a rule that government must have a majority of both sections. To the antagonism between English and French was added the strife between Orangism, which had been imported into Canada, though rather in its political than in its religious character, and the catholics, French or Irish. The population of the British province having now outgrown that of the French province, agitation for representation by population commenced on the British side. There ensued a series of cabals, intrigues, and faction fights which lasted for about a quarter of a century, all intelligible principles of difference being lost in the struggle for place, though one question after another was taken up as a counter in the

game. The only available statesmanship was address in the management of party. In this John A. Macdonald was supreme, and gained the ascendancy which made him ruler of Canada for many years. 1847-1891

Durham, in his report, had spoken freely of the sad contrast between the wonderful prosperity of the United States and the comparative backwardness of Canada. The contrast was still more felt when by England's adoption of free trade Canada lost her privileges in the British market, while she was excluded from the market of her own continent. A petition signed by three hundred and twenty-five persons, including the chiefs of commerce proposed among other remedies, "a friendly and peaceful separation from British connection, and a union upon equitable terms with the great North American Confederacy of Sovereign States." To open a safety valve for this discontent, Lord Elgin went to Washington and negotiated a reciprocity treaty with the United States. 1849 1854

The Democratic party, that is the party of slavery, then dominant would be ready enough to do whatever would prevent Canada from entering the union and turning the balance against slavery. At the same time that Canada lost her privilege in the British market, British privilege in the Canadian market was virtually given up, and the colony received fiscal independence.

Faction, cabal, intrigue, and the antagonism between the British and the French province ended in a political deadlock, from which the leaders of parties, combining for the moment, agreed to escape by merging their quarrels in a confederation of all the British provinces of North America. Into this confederation Upper or British Canada, now called Ontario, and French Canada, now 1867

called Quebec, came at once. New Brunswick came early and freely. Nova Scotia was drawn in by questionable means. Prince Edward Island came in later of her own accord. The vast Northwest was afterwards purchased of the Hudson's Bay Company and added to the confederation after the American model as a set of territories to be received, when peopled, as provinces of the Dominion. British Columbia was ultimately incorporated by the construction of the Canadian Pacific railway across the continent. Some of the authors of confederation would have preferred a legislative to a federal union. This was precluded by the jealous nationality of the French province and its adherence to its own civil law.

Federation this process was called, but the form of polity comprised in the British North America Act is not that of federation proper; it is that of a nation with a federal structure. There is a wide and important difference between the two. In federation proper, which has usually been the offspring of union for common defence, the several states remain sovereign. The federal government is formed of delegates from the several states. Its powers are confined to the objects of the bond, security from without and peace within; it has the power of requisition only, not of taxation; nor has it any general legislative powers. The American colonies during their struggle for independence were a federation proper; having afterwards adopted their present constitution, they became a nation with a federal structure; if any doubt remained upon that point, it was dispelled by the war of secession. The political parties are national; they extend into state politics, and there has been a general tendency of the national to prevail over the federal ele-



ment. In the case of Canadian confederation the national element was from the first stronger than the federal in this respect, that the residuary power which the American constitution leaves in the states was by the Canadian constitution assigned to the Dominion. On the other hand, the geographical relations of the Canadian provinces, which are stretched in broken line across the continent, and separated from each other by great spaces or barriers of nature, so that there is not much natural trade or interchange of population, are a bar to the ascendancy of the national over the federal element. Provinces send their delegations to Ottawa charged with provincial interests, especially with reference to the outlay on public works; and it is necessary to have thirteen members in the cabinet in order to give each province its share, while a cabinet, or, to speak more properly, an administrative council, of eight suffices for the population, fourteen times larger, of the United States. Political parties, however, extend over all the provinces and generally into provincial politics, though in the remoter provinces, with a large element, and in British Columbia with a predominance, of local objects. On the two old Canadas, now Ontario and Quebec, but chiefly on Ontario, have lain the stress and burden of confederation. Ontario has paid more than sixty per cent. of the taxes.

The imperial element in the Canadian constitution is represented, besides the appointment of the governor-general and the commander of the militia, by an imperial veto on Canadian legislation, which, however, is becoming almost nominal; the appellate jurisdiction of the privy council, which has been partly pared away; and the subjection of Canadian relations with foreign countries to

the authority of the imperial Foreign Office, which again is gradually giving way to Canadian autonomy, though with British responsibility and under the protection of the British army and navy; a colony having no means of asserting its claims by war. Nor must we forget the influence of imperial titles and honours which on colonial politicians is great. The Canadian constitution, moreover, though framed in the main by Canadian politicians, is embodied in an imperial Act of Parliament, subject to 1867 repeal or amendment only by the same authority by which it was passed. A community living under a constitution imposed by external authority, and without the power of peace or war, can hardly be said yet to have attained the status of a nation.

The monarchical element consists of the governor-general, representing the British sovereign and equally divested of personal power, with lieutenant-governors of provinces appointed nominally by the governor-general, really by the prime minister, and figureheads like their chief, the places being in fact retiring pensions for veteran politicians.

There is an upper House in the shape of a Senate, the members of which are appointed for life, ostensibly by the crown, really by the leader of the party in power. If the appointments were really in the crown, there might be some opening for the general eminence of which a model Senate would be the seat. As it is, these appointments merely form an addition to the patronage fund of party. The illusory name of the "crown" reconciles people to the exercise, by party leaders, of powers which might otherwise be withheld. A certain number of places in the Senate is assigned to each province; so that whatever

power the Senate has may be reckoned among the federal elements of the constitution.

The Canadian constitution, with its cabinet of ministers sitting in parliament and controlling legislation, its prerogative exercised formally by the crown, really by the prime minister, of calling and dissolving parliament, adapts itself to party government, for which the American constitution, with its election of a president for a stated term, and its separation of the administrative council, miscalled a cabinet, from the legislature, is a manifest misfit. Party takes its usual form and proceeds by its usual methods, though the necessity of holding together provinces geographically and commercially disunited, so as to form a basis for the government, induces a special resort to the influence of federal subsidies for local works.

The exact relation of a colony on the footing on which Canada now is to the imperial country it would be difficult to define, though definition may presently be needful if misunderstanding is to be escaped. The crown, by the British North America Act, renounces its supreme ownership of the land by handing over the lands to the provinces. The personal fealty of the colonists to the sovereign of Great Britain remains.

Australian federation so called, is like that of Canada, not a federation proper, but a nation with a federal structure. It seems to postulate cabinet and, therefore, party government. But how are Australian parties to be formed? How is the cabinet to be evolved? The machine has been constructed with care and doubtless with skill. But what is to be the motor? In the case of the Canadian confederation, parties were taken over from the two united provinces which formed the core of the Do-



minion, and are still in some measure founded on the opposition between French and English, though the dividing line has grown very indistinct, and the conflict has long since become almost entirely one of electioneering tactics with the usual accompaniments of that game.

The political history of Canada is in its main features that of the self-governing colonies in North America, Australasia, and South Africa. All have passed from the state of dependencies ruled by a governor representing the colonial office to that of self-government and virtual independence, for which some now propose, over-riding geographical conditions and difference of circumstance, to substitute a federal bond. Recent developments, such as the socialism and feminism of Australasia, fall not within the compass of this work. A specially important part has been played in Australasian politics by the land question, the source of which, as has been already said, is the doctrine, handed down from feudal times, of the crown's lordship of all land.

South Africa, a Dutch colony conquered by Great Britain, has been the unhappy scene of a struggle between the British and Dutch races and between each of them and native tribes, some of them powerful and warlike. This again falls not within the compass of the present work.

The West Indian colonies as a group, and notably the most important of them, Jamaica, may be said to have held a place intermediate between self-government and the government of the crown. But the political history of all those islands is slavery.

It is not likely that there was any scruple about slavery

in the mind of Cromwell, whose belief in the Old Testament was uncritical, and might mislead him, not on this question alone. But in attempting the conquest of Hispaniola and in conquering Jamaica his main object probably was, by advancing the outposts of England and Protestantism, to break into the Spanish monopoly of South American lands and waters. He put down secession in Barbadoes, but gave that colony articles of liberty commercial and fiscal as well as political, such as if given to the North American colonies would have averted the American revolution.

All-powerful at sea while she was weak by land, Great Britain found herself after each war the mistress of more sugar and slave islands and more deeply implicated in their unhallowed trade.

There is abundant evidence to show that Jamaica was in the days of slavery full of cruelty and vice. Johnson described it as "a place of great wealth and dreadful wickedness, a den of tyrants and a dungeon of slaves." "Here's to the next insurrection of the negroes in the West Indies!" was the toast which this high Tory gave to a party in high Tory Oxford. Flogging and branding were the ordinary, hanging, burning and gibbeting alive, were the extraordinary, modes of enforcing submission. Killing a negro was long even by law no murder. It was an open question among slave-owners whether it was better to rear or to buy slaves. Of the proprietors the principal were resident in England, where they corrupted society, bought seats in parliament, and there, with their compact phalanx, upheld slavery and the slave trade. The island was left in the hands of slave-drivers, who were sure to be the vilest of mankind. The de-

cencies of civilized life were of course denied to the slave, and if Methodists or Baptists dared to preach religion to him, they were summarily put down. It was in Jamaica apparently that the system was at its worst.

Jamaica and the other West Indian islands had constitutions varying in some respects, but of the general colonial type, with a governor and an elective assembly, the assembly of course consisting exclusively of whites, and the governor having probably as a rule practically more power than he would have in a white colony, though, as Johnson said, "The loudest yelps for liberty were heard among the drivers of negroes."

1833 Emancipation found the negro totally incapable of political self-government. Apprenticeship, even if it could have been carried into effect, would not have sufficed to bridge such a gulf. To this day the negro has nowhere developed a capacity for active citizenship. In San Domingo he had a bad start, it is true, his commonwealth having been born in one of the most fiendish of servile wars. But in the hundred years which have since elapsed he has made little, if any, progress in self-government. A series of usurped dictatorships has been his history. There were, moreover, a physical chasm between the white man and the negro, a social chasm between the deposed master and the liberated slave, and a contemptuous hatred of the black on the part of the white man, which made their union in a commonwealth hopeless. The attempt to form a united commonwealth of whites and blacks has hideously failed in the United States. If it was possible, the negro should have been treated in both cases as a ward of the state without political power, but with personal and industrial rights, and with superior authority to guard them.



Scarcely had emancipation been completed when the restiveness of the assembly of Jamaica constrained the Whig ministry to propose the suspension of the Jamaican constitution. In the attempt to carry the Bill the ministry fell, and when restored to power it failed to pass an effectual measure. But the union of the races in Jamaica was hopeless, though in the lesser islands, with their small white populations and under economic conditions more conducive to negro industry, the friction was not so great. At last, after a period of brooding mistrust and hatred, with political wrangling in the Jamaican assembly, a war of race, violent and bloody, broke out. A local and accidental riot among the blacks, caused by the unpopularity of a district magistrate, was mistaken by the whites, or they pretended to mistake it, for a general insurrection. They made the governor proclaim martial law, and carried on a reign of terror, hanging and flogging both men and women and burning their houses, which brought a serious stain upon the honour of England, where the governing classes, swayed by imperialist sentiment, and many of them by Carlyle's gospel of force, shut against mercy the gate of justice. The governor, however, was recalled; the constitution of Jamaica was suspended; and a royal governor went out, invested with power to hold the balance of equity between the races. Since that time there has, at all events, been peace.

Crown colonies and fortresses have no political history. But one of the fortresses, besides having a military history of extraordinary interest, has exercised a momentous influence on the policy of the country. England did not in the first instance come fairly into possession of Gibrals-

1713 tar. It was taken, not in a war with Spain, but in a war in support of a claimant to the Spanish throne, in whose name and interest all captures were supposed to be made. The possession, however, was afterwards amply recognized and confirmed. It brought England, and was sure to bring her, the undying enmity of Spain. On this account principally English statesmen, Townshend, Stanhope, Shelburne, and even Chatham, were willing to resign it. But it had taken the hold on the popular imagination which Calais had in former days, and which two memorable sieges confirmed. Again and again, Spain, sinking into decay, dragged her enfeebled limbs to the attack. She was as far as possible from being inclined to help into existence an American republic in close and dangerous neighbourhood to her own South American possessions; but in the hope of regaining Gibraltar, she joined the league of maritime powers which brought Great Britain to the brink of ruin. Gibraltar, with the subsequent addition of Malta, has drawn with it the policy of ascendancy in the Mediterranean, the acquisition of Egypt and Cyprus, and in some measure the antagonism to Russia as a power striving to force her way into that sea. Ascendancy in the Mediterranean must depend on the ability of Great Britain to maintain an overwhelming sea power. This, again, must depend on the continuance of her superiority in wealth, and, therefore, on her supremacy in manufactures and trade. But we do not presume to lift the veil of the future. Among other things, who can foretell what effect the progressive invention of tremendous instruments of destruction may hereafter produce on war power and all that depends upon it, particularly at sea?

The British empire in India is an empire in the true sense of the word ; yet it is unlike all the empires of history. It is held on the other side of the globe by sea power, and in a climate in which the natives of the imperial country must always be sojourners and can never make their home ; the races subject to it are absolutely alien, not in blood, form, and colour only, but in mind, sentiment, and religious belief, to the conquering race ; while the professed aim, which in no small degree really rules the practice of its government, is the welfare not so much of the conqueror as of the conquered. The Carthaginian empire was held by sea power, but in that respect alone resembled the British empire in India, which it did not approach in scale and still less in beneficence. The Roman empire, though vast, was still in a ring fence. Romans could make their abode in any part of it, and the effete religions of the old world presented no such social obstacle to a tolerant conqueror as the caste of the Hindoo, while the population probably did not amount to two-fifths of that of Hindostan. Spain held a transatlantic empire in South America. But that empire was in no respect a counterpart of the British empire in India. With regard to unselfishness and beneficence of aim, it was not a counterpart, but a contrast.

When, in the latter part of the eighteenth century, the Mogul empire, of which the jewelled throne was at Delhi, having reached its zenith of greatness under Akbar, having declined under his immediate successors, having under Aurungzeb veiled its growing weakness beneath its bloated pomp, at length received its mortal wound from the murderous invasion of Nadir Shah, three great trading companies had their privileged factories on the coast of



Hindustan and faced each other, as competitors for the command of the Eastern trade. All were armed, as the lawlessness of the seas in those times and the hostile relations into which they were often brought by wars among the home governments required. At an earlier period Portugal had aspired to supremacy in the Indian seas; marvels had been wrought by her adventurous mariners under Vasco de Gama, Cabral, and Albuquerque. But she had not strength to hold an empire on the other side of the globe, and at the critical moment she fell into the grasp of Spain. Of the three rival powers left in the field, Holland, it has been remarked, had the advantage of undivided devotion to the aims of commerce; but to her, again, strength was wanting, and she was crippled by the attacks of France, who thus unwittingly played the game of England. Of England's rivals France was the most formidable. But the prize was to the greatest sea power, and England was the stronger upon the sea. France, moreover, was a despotism sinking into decay, ruled by harlots, ungrateful to its best servants. It could requite the zeal of Lally in the contest for India, by sending him to death, after a secret trial on a fictitious charge, in a common cart, with a gag in his mouth. The English adventurer had to back him a parliament and the spirit of a free as well as largely commercial nation. He had also in dealing with the heathen the advantage, like the Roman, perhaps even more than the Roman, of religious indifference; he could scrupulously respect the faith and rites of the Hindoo even to the extreme, for a long time, of tolerating suttee; he could swear to a treaty by the sun and moon, and furnish a guard to the temple of Juggernaut. He took no missionaries with him, but long discouraged

their coming; whereas the commander of a Portuguese expedition took with him eight friars to preach the catholic faith, and orders to carry fire and sword into every district which would not listen to their preaching.

France, nevertheless, had nearly grasped the prize. The imperial and unscrupulous genius of Dupleix, who knew the secret of dealing with native powers and had learned to make use of native soldiery, was on the eve of decisive victory over the English when Robert Clive, a youth of twenty-five, and bred a clerk in a commercial office, by his native genius for war and diplomacy, which was recognized with happy penetration by the mercantile head of the establishment, turned the scale in favour of his own countrymen. Presently the Dutch also were driven off the field. With the name of Clive, as the founder of the empire, must be linked those of Lawrence, the father of the Indian army, Eyre Coote, and Forde. 1748

In Hindostan there was no nationality, no spirit of national resistance to foreign conquest. The Hindoo population was a vast expanse of social tissue, of which the life was caste and the organization was the communistic village, a remnant of the primeval state. In the realm of the Mahrattas was a spirit of race, in the Sikhs a spirit of religious fraternity; and it was in the Mahrattas and the Sikhs that British power was destined to find its doughtiest foes. None of the dynasties carved by usurping satraps out of the wreck of the Mogul empire had any seat in the heart of the people. The Mogul empire itself had been founded by foreign invaders from the mountains of the north, whence conquest had repeatedly descended on the enervated people of the sultry plains. The Hindoos were ready with perfect indiffer-

ence to bow to any government; any power of order, however alien, they were ready to welcome when plundering usurpation or anarchy filled their land and over it swept like whirlwinds the Mahratta raids. In such a chaos British dominion could not fail even in its own despite to grow. War power enough to enable the company to hold its ground against its rivals had always been necessary. Sir Josiah Child, the dictator of the India House, under William III., had desired that his company should be a military power. The sage Sir Thomas Roe, on the other hand, had conjured the company to content itself with factories and trade. Roe's advice the company was always inclined to follow, its heart being set on dividends. But the finger of manifest destiny pointed the other way. Brought inevitably into collision with one barbaric power after another, the company's government was compelled to conquer, and having conquered, to annex. With the exception of Scinde, where the impetuosity of Sir Charles Napier made the British power the aggressor, the conquests of which the empire is built may be said to have been made in defensive war.

1756 Surajah Dowlah, Nabob of Bengal and an insolent barbarian, attacked Calcutta, took it, and through his officers perpetrated the hideous tragedy of the Black Hole. Clive came to the rescue, at Plassey virtually conquered Bengal, though a puppet nabob was kept upon its throne, and opened to the greedy eyes of the company's servants the glittering treasury of the East. During his absence in England, merchants' clerks on small salaries being let loose upon a ravishing field of plunder, a scene of the foulest corruption and most iniquitous oppression ensued; fortunes were made in scandalous ways and carried home



to buy rotten boroughs, degrade the legislature, and alarm the conscience of the nation. There is hardly a darker stain on the honour of England. Clive returned, restored order, arrested abuse, and strove to prevent it for the future by giving the company's servants regular and sufficient salaries, and forbidding the acceptance of presents. For clandestine and irresponsible influence over Bengal he, by taking a formal grant from the phantom at Delhi, substituted avowed and responsible dominion. A trading company thus became king of the richest of all Indian domains, with revenues bearing no mean proportion to those of the imperial country. The first step towards empire had been taken and it determined the march. As a necessary instrument of dominion, the Company began to form, in addition to the British troops at its disposal, an army of sepoy or native soldiers, easily recruited in the swarms of mercenaries of which the unhappy land was full.

The eyes of the home government were now anxiously turned to the growth of a political dominion in the hands of a trading company with an army and a diplomacy of its own, making wars and alliances without much reference to the king's government, which, nevertheless, was compromised; while reports of gross misdoings found their way to England and were confirmed by the sinister wealth of the "nabobs." In 1773, after a wrangle of the government with the directory, which had a tower of strength in British respect for charters, a Regulating Act 1773 was passed establishing a governor-general, whose authority was to extend over all the Indian possessions of Great Britain, with an advisory council of four, each of whom was to have a vote; an impolitic division of the com-

mand. At the same time was established a supreme court of justice for the administration of English law, better than lawlessness but ill suited to the meridian of Hindostan.

1774 The first governor-general was Warren Hastings, to whom it fell to organize and preserve what Clive had won. With consummate ability he performed both tasks; the second with the calmest courage in face of gathering perils, aggravated by the extremity to which the conflict with the American colonists had brought the mother-country, and by a coalition of the great maritime powers against her which endangered her indispensable supremacy at sea. At the same time he was contending, not merely with factious opposition, but with the bitterest personal enmity in his council, and could carry his vital measures only by his own casting vote. Out of his ebbing revenues he had at once to meet his own political necessities and to satisfy the commercial cravings of his company. This was his excuse for hiring out a British force to the Vizier of Oude to serve against the Rohillas, though there were also reasons of British policy for the measure, and the Rohillas, instead of being an idyllic and poetic race, were a dominant tribe of Afghan free-booters, whose overthrow and partial eviction would be a relief to the subjugated Hindoo. The same dire necessity dictated the exaction at a crisis of extreme peril of what would otherwise have been an exorbitant aid from a feudatory, Cheyt Sing, the Rajah of Benares, and the impounding of a treasure which had been appropriated by the Begums of Oude, but to which, it seems, they had no title, while for the force applied by native cruelty to them and their attendants Hastings was at most indirectly responsible. Not one of the acts taken at the worst could warrant Burke in saying

that Hastings had in his whole course "manifested a heart dyed deep in blackness, a heart gangrened to the very core." In all Burke's torrent of invective nothing is more unjust than his assertion that Hastings' ruling motive was thirst of money. Hastings had, at all events, a soul above sordid gain. He saved British dominion in India, for which a life of impeachment was a poor reward. The abandonment of Hastings to his enemies, whatever was the motive, is a blot upon Pitt's fame.

The coalition government of Fox and North, inspired no doubt by Burke, whose generous heart had been wrung, and whose vivid imagination had been fired almost to frenzy, by the wrongs done to ancient dynasties and fanes, had brought in a pair of Bills, drawn probably by Burke's hand, by which, if they had passed, the whole government and management of the territorial possessions, revenues, and commerce of the Company would have been vested in seven directors named in the Act, that is, by the leaders of the majority in parliament, for a term of four years. There was to be a subordinate board of nine directors qualified by holding two thousand pounds of the Company's stock for the special direction of commerce. All monopolies were to be abolished, acceptance of presents was to be prohibited, a state of inheritance was to be secured to the native land-holders, and servants of the Company and agents of native princes were to be excluded from the House of Commons. A cry at once arose that the coalition was grasping the dominion of India with patronage which would seat it permanently in power on the ruins of the constitution. The Company appealed to reverence for charters; an argument futile when the subject was not a private privilege but a public

1783



trust, yet telling, and driven home by the imprudent words of that advocate of the Bill who scoffed at a charter as a parchment with a piece of wax dangling from it, a description not less applicable to the title-deeds of estates. To the assumption of commercial management by a government there was a manifest objection. But the Bill in reality was killed by the unpopularity of the coalition, which enabled the king to defeat it, to trip up the ministry which had framed it, and to call the youthful Pitt to power.

A change, however, there had to be. Burke, if he had failed as a legislator, had been magnificently successful as a preacher; and such a reign of corruption and extortion as was presently revealed by his immortal speech on the Nabob of Arcot's debts no statesman could permit to continue. One of the first measures of Pitt was an India  
1784 Bill, leaving the commercial management in the hands of the Company, but placing the government, with all its functions, political, diplomatic, military, and fiscal, under the control of a board of six members of the Privy Council appointed by the crown, with a cabinet minister for that department at its head. The appointment of the governor-general remained, in accordance with the Regulation Act, legally vested in the court of directors, but he was practically selected by the crown. The patronage generally was left to the Company, though by amicable understanding much of it went to the government, and, being administered by Dundas, helped largely to keep Scotland Pittite.

The Bill having passed, Lord Cornwallis went out, the  
1785 first of a line of governors-general invested with the full authority of parliament and with the delegated dignity of the crown. Cornwallis was an excellent man and a noble

example of the class of statesmen formed in the service not of party but of the empire. He found the Indian civil service still in a degraded and corrupt state; freed its members from temptation by raising salaries to the proper mark, and by his influence and example improved its social tone. Less happy, though not less well intentioned was his "permanent settlement" of the vital questions of land ownership and taxation. Bent on conferring upon India the blessings of a squirearchy, he thought to find squires in the zemindars, who were really collectors of the revenue, though often with a permanent interest, and made them proprietors in fee, only paying a quit rent to the government. There was no such tie between these men and the cultivator as there was in England between landlord and tenant, and the result was the oppression and impoverishment of the peasantry of Bengal. Warned by the failure, later legislators have recognized in the cultivator the proprietor of the soil. 1793

Pitt's Act of 1784 embodied the declaration that to "pursue schemes of conquest and extension of dominion in India were measures repugnant to the will, the honour, and the policy of the nation." It prohibited the governor-general in council from declaring war, entering into any treaty for making war, or guaranteeing the possessions of any native princes or states, except where hostilities against the British nation in India had been actually commenced or prepared, without express command and authority from the home government. With these injunctions Cornwallis, himself moderate and cautious, would gladly have complied. But compliance in that seething and tossing element of anarchy, usurpation, and rapine was beyond his power. In Mysore, among a population

then warlike, a plundering sultanate had been founded by Hyder Ali, an able and unscrupulous adventurer who had formed a powerful army, and at one time had inflicted a serious defeat on the British and threatened the existence of their power. The conflict was renewed with 1784 Hyder's heir Tippoo, a frantic despot spurred on not only by his own rapacity and pride, but by the inspirations of Bonaparte, who ceased not himself to hanker for a career of Oriental conquest, and hoped here to strike England by land as he could not strike her by sea. Cornwallis conquered, and showed his respect for the rule of moderation by leaving to Tippoo half his territories and his fortress capital of Seringapatam.

England was now in India a great power. She was not yet paramount. For a paramount power capable of maintaining a general peace, such as in his day Akbar had maintained, the torn and distracted country yearned. Gravitation towards a new centre had begun. Wellesley, 1798 who succeeded Cornwallis as governor-general, was a "glorious little man" of a thoroughly imperial cast of mind, fond even of the trappings of empire, brimful of energy and daring, regardless of the commercial objects in comparison with the political objects of his government, and somewhat scornful of "the cheese-mongers of Leadenhall Street," who, on their side, watched the play of his genius with alarm. He distinctly resolved to make England not only a great but the paramount power, extending her peace over the continent, rendering the native principalities subsidiary to her military force, and bringing them under her diplomatic control. To effect this he had to overthrow the sultanate of Mysore and the Mahratta confederacy, which alone of the native powers retained



formidable force. Grounds of war in both cases were given or easily found. Mysore, he overthrew by the hand of General Harris, the Mahratta confederacy by the hand of his brother, Arthur Wellesley, the conqueror of Napoleon that was to be. A set of subsidiary treaties ranged the native principalities as military dependencies under the British government; the British peace was established over India; and Great Britain as a paramount, though not as an indigenious, power filled the vacant throne of the Mogul. In the train of the Mahratta confederacy had prowled a jackal horde of Pindarees, freebooters of the vilest kind, whose extinction followed in due course.

1799

1805

1817

Nothing in the exploits of Cortez and Pizarro, or even those of Alexander, is more wonderful than the victories of the British armies in India. Plassey was won by four thousand men against sixty thousand; Assaye by four thousand five hundred against fifty thousand in a strong position with a hundred pieces of cannon. The arms were equal; the natives had sometimes been trained by European officers; the British soldier had to fight and march, sometimes to make forced marches, in pursuit of a nimble enemy, beneath the Indian sun, probably in the old-fashioned accoutrements and without the palliatives which he has now. Most Englishmen still know little of the achievements or the heroes. They have heard the names of Clive, Lake, and Wellington, perhaps those of Lawrence and Eyre Coote, but not those of Pattinson and Pottinger. Wellesley affected to doubt whether the reward of a policy so little in accord with the golden rule of moderation would be requited with honour or with the gallows. Whatever the cheese-mongers of Leadenhall

Street would have done, the national government requited it with honour. Resolutions condemning him were moved by the party of moderation in both houses, but were overwhelmingly defeated.

By the circumstances of his reign Wellesley had been deeply impressed with the necessity of a trained civil service. Merchants' clerks, educated only for the counting house, could not be fit instruments of government for the paramount power of Hindostan. Wellesley set up a training institution at Calcutta. The measure was regarded with an evil eye by the Company, which perhaps scented a transition from commercial to political interests and aims. The upshot, however, was the college at 1806 Haileybury, of which Wellesley, a fine classical scholar and a first-rate writer of Latin verses, selected the motto, *Redit a nobis aurora diemque reducit*. By this combination of special training with adequate salaries and early responsibilities was formed by far the greatest civil service that the world had ever seen.

So far the Company had retained its monopoly of the Eastern trade and the spirit of the trader therewith. Its dividends had been uppermost in its mind, and in their interest it had been interfering with the action of the governor-general even in his hour of peril. It had jealously excluded European settlers from the country. It had prohibited Christian missions, lest a shock should be given to the religious prejudices of the Hindoo, so that it might be said that the only religion which could not be preached in India was that of the ruling race. But 1813 in 1813, on the renewal of the charter for twenty years, the monopoly of the Indian trade was abolished, and that of the trade with China alone was left. The

India House, through its forty members in the House of Commons, struggled hard, and of course predicted ruin. Its predictions were, of course, signally falsified by the growth of a free trade. Lord Grenville would have gone further; he would have made over India entirely to the crown, obviating the danger to the constitution from the increase of crown patronage by throwing the civil service open to competition. Governments, he held, were always bad hands at trade, and traders were always bad hands at government. Public sentiment prevailed over India House prejudices, mistaken, though not unnatural. India was opened to European settlers and to the missionaries, without bad effects in either case. The Hindoo, though intensely jealous of his caste, is tolerant of religious speculation. Christianity presently made its appearance in the angelic form of Heber. 1822

In passing from the control of the Company to that of parliamentary ministers, India became exposed to the influences of political party. From these, however, it has suffered little, governors-general having doffed the party politician when they donned the viceroy, retaining at most their general tendencies, progressive or cautious, Conservative or Liberal. The Marquis of Hastings, who was an ex-governor-general, had, as Lord Moira, been a fighting Liberal in the British parliament and a resolute opponent of the policy of coercion for Ireland. As governor-general he remained Liberal, perhaps to as great an extent as a government of conquest could bear. He gave India a free press, which the European settlers, now admitted, were ready to set on foot, proclaiming that "it was salutary for government, even when its intentions were most pure, to look to the control of public opinion." Leadenhall Street



quaked, and might perhaps have argued that these principles were suited to the British meridian, and that it was not upon public opinion that the power of a conqueror was based. Hastings also flouted the belief that much light was not good for the conquered by striving to promote education, though Leadenhall Street might still have its misgivings as to what, by the light afforded it, a conquered population might see.

1833 In 1833, among the fruits of parliamentary reform, came, with the renewal of the charter, an Act which took away from the Company its remaining monopoly, that of the China trade, discharged the magnificent fleet of clippers which had been its pride, finally divested it of its commercial character, leaving only the mercantile names, and made it simply the administration of the Indian empire under the board of control. It is not denied that from that time the policy of the Company was liberal, and directed entirely to the maintenance of the empire and the welfare of the people of Hindostan. Lord William  
1828-1835 Bentinck, who at this time was governor-general, could enter on a bold course of social reform with a perfectly free hand. He ventured to abolish suttee, and no convulsion followed. He took measures for the education of a class of natives in Western literature and science. He advanced natives to official positions. He promoted the settlement of Europeans in India, the investment of European capital, and the extension of steam communication. In his time, with the aid of Macaulay, was framed a code which combined the principles of European justice with regard for Hindoo custom. By the acting governor-general, who after him held the reins, unrestricted freedom was given to the press. Bentinck's rule was marked

also by the suppression of Thuggee, a hideous brotherhood of murder, the existence of which, with the fiend goddess of its worship, was almost enough in itself to prove that conquest was a blessing.

At the Sutlej it was believed that the empire had reached its Rubicon. Beyond it, in the Punjaub, was the domain of the Sikhs, a sect of religious purists formed into an army, dissenters from Brahminical caste, and at the same time deadly enemies to Mahometanism, which persecuted them to the death. Under the able and unscrupulous leadership of Ranjit Singh, they had become a formidable force, trained by European officers, with a powerful artillery. After the death of Ranjit, who left no strong successor, anarchy ensued, and the Khalsa, as the Sikh brotherhood was called, inflamed with fanaticism, pride, and lust of conquest, crossed the Sutlej and hurled itself 1845 on the British dominions. There ensued a series of desperate battles in which the empire fought for its life, while England waited with throbbing heart for tidings of the war. Nothing in our military history is more impressive than the night of Ferozeshah, when, after the doubtful struggle of the day, the British regiments lay down almost under the Sikh guns; while Lord Hardinge, who, with a noble sense of supreme duty, had laid aside the governor-general, went to and fro over the field reviving the spirits of the troops for the renewal of the battle on the morrow. Having measured their strength with the Englishman and found him their master, the Sikhs took his pay and became the best of his native soldiers. 1845

By the annexation of the Punjaub, marvellously organized under the hand of Lawrence, the empire reached its final boundary. Invasion no longer threatened from the 1849

mountains on the north. The settled and strong, though rude, confederacy of the Afghans had barred that gate. But though Moguls were no more to be dreaded, Russia, in nervous apprehensions, took their place. Russian dominion had grown in central, like British dominion in southern Asia, by collision with a series of barbarous powers which were successively annexed, and there was nothing to prevent the two empires from resting in peaceful neighbourhood with the wall of independent tribes between them. Yet there were British statesmen who always imagined that they saw an invading army of Russians issuing from Herat. The result was the ill-starred 1837-1842 expedition to Cabul, ending in the most disastrous of those defeats of the British, the memory of which, it seems, is ominously cherished by the Hindoo. Neither from invasion nor from insurrection among a people, long disarmed, and divided among themselves into Mahometans and Hindoos, did danger thenceforth impend over British empire in India. If danger now impends, it is from the impossibility of acclimatizing the ruling race; from the difficulty of holding open the road to India in the face of all the maritime powers; from the financial difficulty of administering a poor though gorgeous country on the footing demanded by European opinion; above all, from the growing pressure of multiplying myriads of human sheep, helpless and reckless, with their plagues and famines, upon the energies and resources of a paternal government.

The conqueror's moderation had left a fifth of Hindostan under native princes, whose position was that of feudatories of the empire, bound to aid it in war, to respect its peace, to contract no alliances without its sanction, to



receive each of them at his court a Resident as the organ of imperial authority and supervision. To the prince the empire guaranteed his throne so long as he governed well or not intolerably ill. For intolerable misgovernment the native remedy was dynastic revolution. The power, which by its protectorate deprived the people of that remedy, was bound to provide a remedy in its place. Lord Dalhousie, as governor-general, was probably disposed to territorial extension; but he was only doing his duty in deposing the imbecile despot whose foul train of sycophants, buffoons, and harpies was holding a reign of the most insufferable misrule in Oude. That he was equally wise in proceeding to the annexation of Oude is less certain. He thereby at all events helped to charge the mine, of which a terrible explosion followed. 1856

The great mutiny of the native army of the Company, which shook the empire to its foundations, was the last of a series caused by suspected attacks on caste. The great mutiny at Vellore, in which the native troops massacred their European officers, had been caused by a suspected attack on caste in the regulation of the soldier's headgear. Brahmin regiments had mutinied on being ordered to cross the sea, which their caste forbade. Of the great mutiny the immediate cause appears to have been a suspicion that caste was being furtively attacked by the introduction of the fat of cows into the cartridges. But the Bengal army of the Company, recruited from the higher castes, had become too confident in its own strength, while the proportion of British troops was too small, and too many European officers were withdrawn to the general staff. The circle of the deposed tyrant and those who had subsisted by the tyranny in Oude were prepared for mis- 1857 1806

chief, if not actually plotting, while in the people of Oude at large there may have been some dislike of annexation. The opportunity was seized by the outcast Nana Sahib of avenging a wrong which he fancied he had received in the disallowance of his claim to an inheritance by the Hindoo title of an adopted son. The feudatory princes, on the other hand, when the crash came, remained faithful to the hand which held them on their thrones. The newly-conquered Sikhs fought not only well but savagely on the British side. The people in general did not stir; they had long lost warlike tendencies or qualities and probably regarded almost with apathy the struggle for dominion. The outbreak in this case, therefore, has been truly described as a mutiny, not a rebellion. At the same time caste was the immediate cause, and caste is the nationality of the Hindoo.

Horrible atrocities were committed in the rising, atrocities not less horrible in its suppression. England paid in the effect upon her own character the worst of all the penalties of conquest. The panic rage of the dominant race and its hatred of the conquered broke forth with fearful violence. "It is a terrible business," says Lord Elgin, who witnessed the scene, "this living among inferior races. I have seldom from man or woman since I came to the East heard a sentence which was reconcilable with the hypothesis that Christianity had ever come into the world. Detestation, contempt, ferocity, vengeance, whether Chinamen or Indians be the object. There are some three or four hundred servants in this house. When one first passes by their *salaaming* one feels a little awkward. But the feeling soon wears off, and one moves among them with perfect indifference, treating them, not as dogs,

because in that case one would whistle to them and pat them, but as machines with which one can have no communication or sympathy. Of course those who can speak the language are somewhat more *en rapport* with the natives, but very slightly so, I take it. When the passions of fear and hatred are engrafted on this indifference, the result is frightful; an absolute callousness as to the sufferings of the objects of those passions, which must be witnessed to be understood and believed." The government had removed some commissioners, who not content with hanging all the rebels they could lay their hands on, had been insulting them by destroying their caste, telling them that after death they should be given to the dogs. A reverend gentleman could not understand the conduct of government; could not see that there was any impropriety in torturing men's souls; seemed to think that a good deal might be said in favour of bodily torture as well. "These," exclaims Lord Elgin, "are your teachers, O Israel! Imagine what the pupils become under such leading!" A British soldier sought permission to burn alive and impale. The cries for more blood will not be forgotten by those who heard them.

When the news of the mutiny reached England the public horror was enhanced by the thought that Lord Canning was the governor-general. He had little reputation for ability; was believed to have been advanced in public life out of regard for his father's memory; was even supposed to have been sent to India to relieve the cabinet of his vexatious pertinacity. But in the hour of need his pertinacity became firmness, with which he controlled the passions of the dominant race and in some measure saved the honour of the country.



The native army, on which the dominion of the Company rested, had now broken down; and the Company's rule had become a hollow form in the retention of which there appeared to be no use. The empire of India was united to the British crown, the wearer of which presently adopted the title of Empress, on the understanding, however, that it should never be used in her constitutional realm.

Thus closed, by final transformation into an empire, the wonderful and romantic history of the East India Company. Some misgivings were felt as to the political effect both on the imperial country and on the dependency. They may perhaps have been re-awakened by the action of extremely liberal governors-general on one hand and by the appearance of Hindoos as Radical candidates for seats in the British parliament on the other. Any political danger that there might have been from the transfer of the mass of Indian patronage to the crown has been averted by the adoption of the competition system; and though success in a literary contest is no proof of practical ability or vigour, competition does not seem to have produced less of either than were produced by nomination. The Indian service remains a fine field for British youth; that it supplies England with her best men has been said, but cannot be maintained. Life when it has been spent in the Indian service cannot be begun again. Even of the governors-general, whose term is only five years, Lord Wellesley alone has played a leading part in England after his return.

What had been commenced before the transfer has been carried on with unabated, perhaps with increased, vigour since. The extension of railroads has united the country,

quicken industry and production, improved the distribution of population and of food. Other works of utility have been performed. It cannot now be said of the British as it was said in former days that if they gave up India they would leave behind them no monuments but empty beer bottles. Education has been liberally promoted. European culture and science have been imparted. Laws and the judiciary have been improved. Christianity has been freely preached, and has perhaps been gaining some ground in Hindostan, while it has been losing ground among the educated classes at home. Efforts have been made to teach regard for public health. Municipal government has been promoted. Natives have been admitted to office both administrative and judicial as far as the conditions of conquest would permit, and great freedom has been allowed to a press sometimes childishly seditious. All, in short, that the most beneficent of conquerors could do has been done. But the most beneficent of conquerors, while he may make himself respected and trusted as well as feared, cannot make himself beloved. Nor can he fill the gulf of sentiment between himself and the conquered. The estrangement sadly noted by Lord Elgin has been rather increased than diminished since steam and the overland passage have brought the Anglo-Indian into closer communication with his own country and prevented him from identifying himself with the subjects of his rule so much as he did when it was a six months' voyage between him and his home.

Once more, it is not for history to attempt to raise the veil of the future.





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